

viding that no female employe shall be employed in any factory, mill, workshop, mechanical or mercantile establishment, hotel, restaurant, rooming house, theater, moving picture show, beauty parlor, barber shop, telegraph, telephone, or other office, laundry, cotton, woolen or worsted goods manufacturing plant, express, or transportation company, or any State institution, or any other establishment, institution, or enterprise where females are employed for more than eight (8) hours in any one calendar day nor more than forty-eight (48) hours in any one calendar week; repealing all of Article 5169, repealing all of Article 5170, amending Article 5172, so that it does not apply to mercantile establishments, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

### SIXTIETH DAY

(Wednesday, May 1, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Fox
Adamson	Fuchs
Adkins	Glass
Aikin	Gray
Alexander	Hankamer
Alsup	Hanna
Ash	Hardin
Bergman	Harris of Archer
Bourne	Hartzog
Bradbury	Head
Bradford	Herzik
Broyles	Hodges
Burton	Hofheinz
Butler of Brazos	Holland
Butler of Karnes	Hunter
Cagle	Jackson
Caldwell	Jones of Atascosa
Canon	Jones of Falls
Clayton	Jones of Runnels
Collins	Jones of Shelby
Cooper	Jones of Wise
Craddock	King
Crossley	Lange
Davison	Lanning
of Eastland	Lindsey
Dickison	Lotief
Dunlap of Kleberg	Lucas
Fain	Luker
Fisher	Mauritz
Fitzwater	McCalla

McConnell	Settle
McFarland	Shofner
McKee	Smith
McKinney	Spears
Moffett	Stanfield
Moore	Steward
Morris	Stinson
Morrison	Stovall
Morse	Tarwater
Nicholson	Tennyson
Patterson	Thornton
Quinn	Tillery
Reader	Venable
Reed of Bowie	Waggoner
Reed of Dallas	Walker
Riddle	Westfall
Roach of Angelina	Wood of Harrison
Roane	Wood of Montague
Roark	Worley
Roberts	Young
Russell	Youngblood
Rutta	

### Absent

Atchison	Howard
Beck	Huddleston
Calvert	Hunt
Celaya	Hyder
Colquitt	James
Colson	Jefferson
Cowley	Keefe
Daniel	Knetsch
Davison of Fisher	Latham
Dunagan	Leath
Dunlap of Hays	Lemens
Dwyer	Leonard
England	Newton
Ford	Padgett
Frazer	Payne
Gibson	Petsch
Good	Pope
Graves	Roach of Hunt
Greathouse	Rogers
Harris of Dallas	Scarborough
Hill	Wells

### Absent—Excused

Davis	Hoskins
Duvall	Palmer
Farmer	Olsen

A quorum was announced present.

Rev. Geo. W. Coltrin, Chaplain, offered the following invocation:

"Our Heavenly Father, as the greater tasks of the session accumulate, we feel our weakness except as Thou shalt strengthen us. May our need commend us unto Thy grace, and may we be led in all right ways today. In Christ's name. Amen."

### LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Duvall for today, on motion of Mr. Hankamer.

Mr. Hoskins for this morning, on motion of Mr. Burton.

Mr. Olsen for today, on motion of Mr. Quinn.

The following members were granted leaves of absence on account of illness:

Mr. Davis for today, on account of illness in his family, on motion of Mr. McFarland.

Mr. Palmer for today, on motion of Mr. Wood of Montague.

Mr. McKinney for today, on motion of Mr. Fisher.

#### BILL ORDERED NOT PRINTED

On motion of Mr. Holland, House Bill No. 989 was ordered not printed.

#### MOTIONS TO LAY BILLS ON THE TABLE SUBJECT TO CALL

Mr. Venable moved that House Bill No. 97 be laid on the table subject to call.

Question recurring on the motion by Mr. Venable, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows:

#### Yeas—56

Adkins	Lange
Alsup	Lanning
Ash	Lindsey
Bradbury	Lotief
Bradford	Mauritz
Broyles	McCalla
Cagle	McConnell
Craddock	Moffett
Crossley	Morse
Davisson	Nicholson
of Eastland	Patterson
Dickison	Quinn
Fain	Reader
Fisher	Reed of Dallas
Fitzwater	Roach of Angelina
Fox	Roark
Fuchs	Shofner
Glass	Spears
Good	Stanfield
Gray	Steward
Hardin	Stovall
Harris of Archer	Tarwater
Hodges	Tennyson
Huddleston	Venable
Jones of Atascosa	Walker
Jones of Shelby	Westfall
Jones of Wise	Wood of Montague
Keefe	Worley
King	

#### Nays—29

Adamson	Hoskins
Aikin	Hunter
Alexander	Lucas
Bergman	Moore
Bourne	Morris
Burton	Reed of Bowie
Butler of Karnes	Roane
Caldwell	Russell
Canon	Rutta
Cooper	Stinson
Hankamer	Thornton
Harris of Dallas	Tillery
Head	Waggoner
Herzik	Wood of Harrison
Hill	

#### Absent

Atchison	Jackson
Beck	James
Butler of Brazos	Jefferson
Calvert	Jones of Falls
Celaya	Jones of Runnels
Clayton	Knetsch
Collins	Latham
Colquitt	Leath
Colson	Lemens
Cowley	Leonard
Daniel	Luker
Davison of Fisher	McFarland
Dunagan	McKee
Dunlap of Hays	Morrison
Dunlap of Kleberg	Newton
Dwyer	Padgett
England	Payne
Ford	Petsch
Frazer	Pope
Gibson	Riddle
Graves	Roach of Hunt
Greathouse	Roberts
Hanna	Rogers
Hartzog	Scarborough
Hofheinz	Settle
Holland	Smith
Howard	Wells
Hunt	Young
Hyder	Youngblood

#### Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	Palmer

The Speaker announced that there was not a quorum present.

Mr. Hankamer moved a call of the House for the purpose of securing and maintaining a quorum until 12 o'clock m., today, and the call was duly ordered.

On motion of Mr. Alsup, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll of the House was again called, and the following members were present:

Mr. Speaker	Holland
Adamson	Howard
Adkins	Huddleston
Aikin	Hunt
Alexander	Hunter
Alsup	Hyder
Ash	Jackson
Atchison	James
Beck	Jefferson
Bergman	Jones of Atascosa
Bourne	Jones of Falls
Bradbury	Jones of Runnels
Bradford	Jones of Shelby
Broyles	Jones of Wise
Burton	Keefe
Butler of Brazos	King
Butler of Karnes	Knetsch
Cagle	Lange
Caldwell	Lanning
Calvert	Latham
Canon	Leath
Celaya	Lemens
Clayton	Leonard
Collins	Lindsey
Colquitt	Lotief
Cooper	Lucas
Cowley	Luker
Craddock	Mauritz
Crossley	McCalla
Daniel	McConnell
Davison of Fisher	McFarland
Davisson	McKee
of Eastland	Moffett
Dickison	Moore
Dunagan	Morris
Dunlap of Hays	Morrison
Dunlap of Kleberg	Morse
Dwyer	Newton
England	Nicholson
Fain	Padgett
Fisher	Patterson
Fitzwater	Payne
Ford	Petsch
Fox	Pope
Frazer	Quinn
Fuchs	Reader
Gibson	Reed of Bowie
Glass	Reed of Dallas
Good	Roach of Angelina
Graves	Roach of Hunt
Gray	Roane
Greathouse	Roark
Hankamer	Roberts
Hanna	Rogers
Hardin	Russell
Harris of Archer	Rutta
Harris of Dallas	Settle
Hartzog	Shofner
Head	Smith
Herzik	Spears
Hill	Stanfield
Hodges	Steward
Hofheinz	Stinson

Stovall	Wells
Tarwater	Westfall
Tennyson	Wood of Harrison
Thornton	Wood of Montague
Tillery	Worley
Venable	Young
Waggoner	Youngblood
Walker	

Absent

Colson	Scarborough
Riddle	

Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	Palmer
Hoskins	

A quorum was announced present.

Question again recurring on the motion to lay House Bill No. 97 on the table subject to call, yeas and nays were demanded.

The motion was lost (not receiving the necessary two-thirds vote) by the following vote:

Yeas—61

Adkins	Keefe
Alsup	Knetsch
Ash	Lange
Beck	Lanning
Bradbury	Lindsey
Bradford	Lotief
Cagle	Mauritz
Calvert	McCalla
Davisson	McFarland
of Eastland	Moffett
Dickison	Moore
Dwyer	Morse
Fain	Patterson
Fitzwater	Reader
Ford	Reed of Dallas
Fox	Roark
Fuchs	Rogers
Gibson	Settle
Graves	Shofner
Gray	Spears
Hardin	Stanfield
Harris of Archer	Steward
Hartzog	Stovall
Hodges	Tarwater
Hofheinz	Venable
Hyder	Walker
Jones of Atascosa	Wells
Jones of Falls	Westfall
Jones of Runnels	Worley
Jones of Shelby	Young
Jones of Wise	Youngblood

Nays—48

Adamson	Bergman
Aikin	Bourne
Alexander	Broyles

Burton	James
Butler of Karnes	King
Canon	Latham
Clayton	Leath
Cooper	Lemens
Cowley	Lucas
Craddock	Luker
Dunlap of Hays	Morris
England	Newton
Fisher	Reed of Bowie
Glass	Roane
Hankamer	Roberts
Hanna	Russell
Harris of Dallas	Rutta
Head	Smith
Herzik	Stinson
Hill	Thornton
Holland	Tillery
Huddleston	Waggoner
Hunter	Wood of Harrison
Jackson	Wood of Montague

## Absent

Atchison	Jefferson
Butler of Brazos	Leonard
Caldwell	McConnell
Celaya	McKee
Collins	Morrison
Colquitt	Nicholson
Colson	Padgett
Crossley	Payne
Daniel	Petsch
Davison of Fisher	Pope
Dunagan	Quinn
Dunlap of Kleberg	Riddle
Frazer	Roach of Angelina
Good	Roach of Hunt
Greathouse	Scarborough
Howard	Tennyson
Hunt	

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	Palmer
Hoskins	

Mr. Thornton moved that House Bill No. 244 be laid on the table subject to call.

Question recurring on the motion by Mr. Thornton, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—46

Aikin	Ford
Cagle	Fox
Calvert	Graves
Clayton	Greathouse
Collins	Hankamer
Crossley	Hanna
Davison of Fisher	Head
Davison of Eastland	Herzik
	Hodges

Hunt	Morse
Jackson	Nicholson
Jones of Atascosa	Patterson
Jones of Falls	Reader
Jones of Shelby	Reed of Dallas
Jones of Wise	Roane
Keefe	Rutta
Knetsch	Settle
Lange	Steward
Lanning	Stinson
Lemens	Thornton
McCalla	Walker
McFarland	Wells
Moore	Worley
Morris	

## Nays—74

Adamson	Huddleston
Adkins	Hunter
Alexander	Hyder
Alsup	James
Beck	Jones of Runnels
Bergman	Latham
Bourne	Leath
Bradbury	Lindsey
Broyles	Lotief
Burton	Lucas
Butler of Brazos	McConnell
Butler of Karnes	McKee
Caldwell	Moffett
Canon	Newton
Cowley	Payne
Craddock	Pope
Dickison	Quinn
Dunagan	Reed of Bowie
Dunlap of Hays	Roach of Angelina
Dunlap of Kleberg	Roach of Hunt
Dwyer	Roark
England	Rogers
Fain	Russell
Fisher	Shofner
Fitzwater	Smith
Frazer	Spears
Fuchs	Stanfield
Gibson	Stovall
Glass	Tarwater
Good	Tennyson
Gray	Tillery
Hardin	Venable
Harris of Archer	Waggoner
Harris of Dallas	Westfall
Hartzog	Wood of Harrison
Hill	Wood of Montague
Hofheinz	Youngblood

## Present—Not Voting

Bradford

## Absent

Ash	Howard
Atchison	Jefferson
Celaya	King
Colquitt	Leonard
Colson	Luker
Cooper	Mauritz
Daniel	Morrison
Holland	Padgett

Petsch  
Riddle  
Roberts

Scarborough  
Young

Absent—Excused

Davis  
Duvall  
Farmer  
Hoskins

McKinney  
Olsen  
Palmer

Mr. Patterson moved that House Bill No. 467 be laid on the table subject to call.

The motion was lost.

#### HOUSE BILL ON FIRST READING

Mr. Graves moved to introduce at this time, and have placed on first reading, House Bill No. 993.

The motion prevailed by the following vote:

Yeas—110

Adamson  
Adkins  
Aikin  
Alexander  
Alsup  
Ash  
Beck  
Bourne  
Bradbury  
Bradford  
Broyles  
Burton  
Butler of Karnes  
Cagle  
Caldwell  
Calvert  
Canon  
Clayton  
Cowley  
Craddock  
Davison of Fisher  
Davisson  
of Eastland  
Dickison  
Dunlap of Hays  
England  
Fain  
Fisher  
Fitzwater  
Ford  
Fox  
Frazer  
Fuchs  
Gibson  
Glass  
Graves  
Gray  
Hankamer  
Hanna  
Hardin  
Harris of Archer  
Harris of Dallas  
Hartzog

Head  
Herzik  
Hill  
Hodges  
Hofheinz  
Holland  
Huddleston  
Hunter  
Hyder  
Jackson  
James  
Jones of Atascosa  
Jones of Falls  
Jones of Runnels  
Jones of Shelby  
Jones of Wise  
Keefe  
Knetsch  
Lange  
Lanning  
Latham  
Leath  
Lemens  
Lindsey  
Lotief  
Lucas  
Luker  
Mauritz  
McCalla  
McFarland  
Moffett  
Moore  
Morris  
Morrison  
Morse  
Newton  
Patterson  
Payne  
Reader  
Reed of Bowie  
Reed of Dallas  
Roach of Angelina  
Roach of Hunt

Roane  
Roark  
Roberts  
Rogers  
Russell  
Rutta  
Settle  
Smith  
Spears  
Stanfield  
Steward  
Stinson  
Stovall

Tarwater  
Tennyson  
Thornton  
Tillery  
Waggoner  
Walker  
Wells  
Wood of Harrison  
Wood of Montague  
Worley  
Young  
Youngblood

Absent

Atchison  
Bergman  
Butler of Brazos  
Celaya  
Collins  
Colquitt  
Colson  
Cooper  
Crossley  
Daniel  
Dunagan  
Dunlap of Kleberg  
Dwyer  
Good  
Greathouse  
Howard

Hunt  
Jefferson  
King  
Leonard  
McConnell  
McKee  
Nicholson  
Padgett  
Petsch  
Pope  
Quinn  
Riddle  
Scarborough  
Shofner  
Venable  
Westfall

Absent—Excused

Davis  
Duvall  
Farmer  
Hoskins

McKinney  
Olsen  
Palmer

The Speaker then laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. Graves:

H. B. No. 993, A bill to be entitled "An Act providing that Texas Rural Communities, a charitable and benevolent corporation, organized under the laws of the State of Texas, be recognized and designated as an agency of the State to assist in the rehabilitation of individuals and families as self-sustaining citizens and authorize the various officers, boards and governing bodies of the State engaged in the relief, destitution and unemployment, to co-operate with said corporation, authorizing said corporation to accept and receive loans and grants and other assistance from the United States Government, departments and/or agencies thereof, for its use, or for relief and rehabilitation purposes; etc., and declaring an emergency."

Referred to Committee on State Affairs.

# BILL LAID ON TABLE SUBJECT TO CALL

On motion of Mr. Alsup, House Bill No. 27 was laid on the table subject to call.

# TO GRANT PERMISSION TO SUE THE STATE

Mr. Rutta offered the following resolution:

H. C. R. No. 101, To grant Jos. V. Frnka permission to sue the State.

Whereas, In 1931-1932 a new bridge was constructed on State Highway No. 3 across the Colorado River at the east end of Walnut Street of the town of Columbus, near the residence of Jos. V. Frnka; and

Whereas, Walnut Street from Front Street to the Colorado River was theretofore not used for street purpose and had been by the town commission of said town of Columbus granted to Jos. V. Frnka for the purpose of constructing and maintaining a sunken garden and park, the same adjoining the residence of said Jos. V. Frnka; and

Whereas, For several years prior thereto said Jos. V. Frnka owned, designed, constructed, set out and maintained a sunken garden and park on said nontraveled and impassable portion of said Walnut Street in said town, the same forming a semi-bowl; and

Whereas, Said sunken garden and park were designed, constructed, set out, grown and maintained by said Jos. V. Frnka at considerable expense and was a beautiful spot in the town of Columbus, containing many beautiful ornamental and flowering trees and shrubs of many varieties; and

Whereas, Said Jos. V. Frnka performed a great deal of personal labor as well as all of his family, as a matter of personal pride thereupon; and

Whereas, Said sunken garden and park were taken for right of way for said Highway No. 3, leading from Front Street to the said new Colorado River bridge; and

Whereas, The said Jos. V. Frnka has not been paid and compensated for the loss sustained by the destruction of such sunken garden and park; and

Whereas, The said Jos. V. Frnka did not attempt to prevent the building of the said Highway No. 3 over the site of such sunken garden and park by legal proceedings, in order not to retard progress; and

Whereas, The State of Texas does not wish to injure its citizens nor take or destroy any property belonging to a citizen without due process of law and compensation therefor; and

Whereas, The said Jos. V. Frnka should be paid and compensated for the loss sustained by him, if entitled thereto; and

Whereas, Such loss was sustained by the building of said new bridge and the change in the course of said Highway No. 3, and through no fault of the said Jos. V. Frnka, and for which he has not been compensated; now, therefore, be it

Resolved by the House of Representatives of Texas and Senate concurring, That the said Jos. V. Frnka be, and he is hereby, granted permission to bring suit in any court of Travis County having jurisdiction of the amount in controversy against the State Highway Department and/or against the State of Texas, to determine the amount of damages, if any, by reason of such destruction of the said sunken garden and park, and to recover a judgment therefor; be it further

Resolved, That service of citation and/or all other necessary process may be had upon the Highway Commission by service upon the chairman thereof; and upon the State of Texas by service upon the Attorney General; and that the said suit, if filed, be tried under the same rules and in like manner as civil suits, except the State of Texas shall not plead limitation in view of the fact that limitation does not run against the State, and that in the event such suit, if filed, results in recovery of a judgment in favor of the said Jos. V. Frnka no execution shall be issued thereon, but shall be paid off by the Highway Department or Highway Commission of Texas.

The resolution was read second time.

On motion of Mr. Alsup, the resolution was referred to the Committee on State Affairs.

# TO REQUEST THE SENATE TO CONSIDER CERTAIN RESOLUTIONS

Mr. Davisson of Eastland offered the following resolution:

Whereas, On the twenty-sixth day of March the House of Representatives passed House Joint Resolution No. 19 by a vote of 125 to 3, and has recently passed House Joint Resolution No. 6 by a vote of 114 to 13; and

Whereas, These resolutions provide for the submission of a constitutional amendment on old age pensions; and

Whereas, House Joint Resolution No. 19 has been pending in the Senate for five weeks; now, therefore, be it

Resolved by the House of Representatives, That the Senate be respectfully requested to act on said resolutions as soon as possible in order that one of them may be submitted to the people for their approval or rejection.

DAVISSON of Eastland,  
LOTIEF,  
HARDIN.

The resolution was read second time.

(Mr. Calvert in the Chair.)

Mr. Petsch moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—69

Adamson	Hankamer
Alexander	Hanna
Alsup	Harris of Archer
Bourne	Harris of Dallas
Bradford	Head
Burton	Hill
Caldwell	Hofheinz
Celaya	Hyder
Clayton	Jackson
Cooper	James
Cowley	Jones of Runnels
Craddock	Keefe
Crossley	King
Davison of Fisher	Knetsch
Dunlap of Hays	Lanning
Fisher	Latham
Frazer	Lemens
Fuchs	Leonard
Gibson	Lindsey
Gray	Luker

Mauritz	Reed of Dallas
McCalla	Roach of Angelina
McConnell	Roane
McFarland	Roark
McKee	Rogers
Moffett	Russell
Moore	Settle
Newton	Steward
Nicholson	Stinson
Padgett	Stovall
Patterson	Tarwater
Petsch	Thornton
Pope	Waggoner
Quinn	Wood of Harrison
Reed of Bowie	Wood of Montague

Nays—49

Adkins	Hodges
Aikin	Huddleston
Ash	Hunt
Beck	Jones of Falls
Bergman	Jones of Shelby
Bradbury	Jones of Wise
Broyles	Lotief
Butler of Brazos	Lucas
Butler of Karnes	Morris
Cagle	Morrison
Canon	Payne
Collins	Reader
Davisson	Roach of Hunt
of Eastland	Roberts
Dickison	Rutta
Dwyer	Shofner
England	Smith
Fain	Spears
Fitzwater	Stanfield
Ford	Tillery
Fox	Walker
Glass	Wells
Hardin	Westfall
Hartzog	Worley
Herzik	Youngblood

Absent

Atchison	Hunter
Calvert	Jefferson
Colquitt	Jones of Atascosa
Colson	Lange
Daniel	Leath
Dunagan	Morse
Dunlap of Kleberg	Riddle
Good	Scarborough
Graves	Tennyson
Greathouse	Venable
Holland	Young
Howard	

Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	Palmer
Hoskins	

## MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate Bill No. 465 by the following vote: Yeas, 29; nays, 0.

The Senate has concurred in House amendments to Senate Bill No. 10 by the following vote: Yeas, 29; nays, 0.

The Senate has passed

S. B. No. 285, A bill to be entitled "An Act declaring that it was not the intention of the Forty-third Legislature of Texas in enacting Senate Bill No. 546, passed at the Regular Session of the Forty-third Legislature, or in enacting Section 7 of Senate Bill No. 546, passed at the Regular Session of the Forty-third Legislature, to provide that there should never be more than \$466,000, par value, of bonds issued out of the \$950,000, par value, of bonds authorized by the vote taken in Cameron County Water Control District."

S. B. No. 442, A bill to be entitled "An Act providing for the inspection and fixing a standard for the construction of boilers; providing for the appointment of a boiler inspector; defining boiler, owner and safety device; providing rules for the enforcement of this Act; providing penalties for failure to comply with the provisions; providing for the exemption of boilers from the provisions of this Act; providing for annual salary of inspector and clerical assistance and supplies; and declaring an emergency."

H. B. No. 80, A bill to be entitled "An Act to amend Article 6078, Revised Statutes, dealing with public parks."

H. B. No. 407, A bill to be entitled "An Act creating a State system of public employment offices; accepting the provisions of the Wagner-Peyser Act approved June 6, 1933 (48 Stat. 113, U. S. Code, Title 29, Section 49)." (With amendments.)

H. B. No. 438, A bill to be entitled "An Act prescribing the fees required of and paid by candidates in primary

elections for State Senators and State Representatives in certain counties, and repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 566, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, or which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission, or other governing body of such incorporated city or town has acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; etc., and declaring an emergency."

H. B. No. 584, A bill to be entitled "An Act giving to Mrs. Lillian Hargraves, for herself and as next friend of Orin Hargraves, Edith Hargraves and Ed Harold Hargraves, minors, of Beaumont, Jefferson County, Texas, consent of the Legislature to file and prosecute suit against the State of Texas and/or the State Highway Commission in a court of competent jurisdiction in order to determine what compensation, if any, she and the surviving children of the said Lillian Hargraves and O. K. Hargraves are to receive by reason of the death of the said O. K. Hargraves received while an employe of the State Highway Commission; etc., and declaring an emergency."

H. B. No. 900, A bill to be entitled "An Act to amend Chapter 2 of Title 116 of the Revised Civil Statutes of Texas, 1925, by adding to said chapter a new article to be known as 'Article 6711-a,' etc." (With amendments.)

Respectfully,

BOB BARKER,  
Secretary of the Senate.

## GRANTING PERMISSION TO SUE THE STATE

The Chair laid before the House, for consideration at this time,

S. C. R. No. 44, Granting Mrs. Rozella Graves permission to sue the State;



The resolution having heretofore been read second time and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

#### GRANTING PERMISSION TO SUE THE STATE

The Chair laid before the House, for consideration at this time,

S. C. R. No. 45, Granting W. C. Davis permission to sue the State;

The resolution having heretofore been read second time and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 66, Providing for sine die adjournment.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### HOUSE BILL NO. 585 ON PAS-SAGE TO ENGROSSMENT

The Chair laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 585, A bill to be entitled "An Act to amend Subdivision 13 of Article 6675-a, Title 116 of the Revised Civil Statutes of the State of Texas, 1925, Acts 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, as amended, Acts 1933, Forty-third Legislature, page 547, Chapter 178, Section 1, relating to the issuing and manufacturing of license number plates so as to provide for the issuing of license number stickers, for attaching same, to authorize and require the State Highway Commission to design, have printed and/or manufacture such

stickers; providing further that no stickers shall be issued until forty-five (45) days from the effective date of this Act, providing for the distribution of same by county tax collectors, so that stickers so distributed shall bear the same number as license number plates theretofore issued, etc.";

The bill having been read second time on Thursday, April 25.

(Speaker in the Chair.)

Mr. Knetsch offered the following committee amendments to the bill:

Amend House Bill No. 585 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That the Acts of 1933, Forty-third Legislature, Regular Session, page 547, Chapter 178, Section 13, relating to the issuance of license number plates be, and the same is hereby, amended so as to hereafter read as follows:

"Sec. 13. The department shall issue, or cause to be issued, one license number plate for each motorcycle, road tractor, trailer or semi-trailer, and two license number plates for any other vehicle registered under this Act. In case one number plate is assigned to a vehicle, it shall be attached thereto at the rear thereof; and in case two are assigned, one shall be attached at the front and one at the rear. Said plates shall be kept clearly visible and securely attached during the year for which they are issued. License number plates issued for vehicles required to be registered under the provisions of this Act shall not be attached thereto except for the registration year for which they are issued; and provided, that said license number plates shall be manufactured and produced at the State Penitentiary at Huntsville, Texas. Provided further, that the State Penitentiary shall be authorized to manufacture all steel or metal road signs; and provided further, that, at the discretion of the State Highway Commission, the State Penitentiary may make or manufacture road signs made of wooden material."

Sec. 2. To the motor vehicles that are required by this Act to have two license number plates, there shall be issued by the department a third license number plate, seal or seals, sticker or stickers, or other device

or devices, which the department shall select and which, in the opinion of the department, will best identify motor vehicles and which will best prevent the stealing of license plates from one motor vehicle and placing the same upon another, and whatever plates, seals, stickers or devices so selected by the State Highway Department shall be uniform throughout the State and shall be used upon all motor vehicles required by this Act to display two license number plates. Provided further, that the department shall have the authority to make rules and regulations governing the manner in which said plates, seals, stickers or devices are to be attached to said motor vehicle and shall direct the position and location that the same shall be attached to said vehicle. Provided further, that the department may either purchase and/or manufacture such plates, seals, stickers or other devices.

Sec. 3. On proper requisition from the State Highway Department, the State Board of Control shall order the designated quantity of license plates and road signs from the State Penitentiary. The State Board of Control shall determine and set the price to be charged for each item. Provided further, that on proper requisition from the State Highway Department, the State Board of Control shall purchase the designated quantity of the selected plates, seals, stickers or devices by advertisement and bid as now provided by law; and provided further, that the cost shall be paid by the Highway Department out of the said funds of said department.

Sec. 4. That the Acts of 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, Section 13-a, relating to the provision of replacing lost, stolen or mutilated license number plates be, and the same is hereby, amended so as to hereafter read as follows:

"Section 13-a. The owner of a registered motor vehicle may obtain from the department or through the county tax collector replacement number plates, seals, stickers and/or devices as prescribed by said department for such vehicle by filing with said department or collector an affidavit showing that number plate or plates, sticker or stickers, seal or seals and/or device or devices have

been lost, stolen or mutilated and by paying a fee of one dollar (\$1.00) for each set of plates, sticker and/or device issued. In case one or more plates are left in possession of such owner, same shall be returned to the department or tax collector upon making this affidavit. Said affidavit shall state that such plate or plates, seal or seals, sticker or stickers, and/or device or devices have been lost, stolen, or mutilated, and will not be used on any vehicle owned or operated by the person making this affidavit. Neither the department nor any tax collector shall issue replacement plates, seals, stickers or devices without requiring compliance with the provisions of this Act."

Sec. 5. That the Acts of 1934, Forty-third Legislature, Second Called Session, page 5, Chapter 3, Section 5, as amended by Acts, 1935, Forty-fourth Legislature, Regular Session, House Bill No. 515, relating to the operation of vehicles without having license number plates attached thereto be, and the same is hereby, amended so as to read hereafter as follows:

"Sec. 5. Any person who operates a passenger car or a commercial motor vehicle or truck-tractor upon the public highways of this State any time during any month of a motor vehicle registration year without having displayed thereon and attached thereto two (2) license number plates, one plate at the front and one at the rear, and such other license number plate or plates, seal or seals, sticker or stickers, and/or device or devices, or any person who operates any motorcycle, side car, road tractor, trailer, or semi-trailer without one license attached in such position and location as directed by the rules of the department, which have been duly and lawfully assigned for said vehicle for the current registration year, shall be guilty of a misdemeanor; this shall not apply to dealers operating vehicles under present provisions of the law, and provided, however, license number plates may be purchased during the months of February and March for re-registration, and when purchased may be used from and after March the first preceding the registration year for which they are issued upon the motor vehicle for which they are issued."

Sec. 6. All laws or parts of laws in conflict with this Act are hereby expressly repealed.

Sec. 7. The fact that many motor vehicle owners in Texas have their motor vehicles stolen and the identity of such vehicles destroyed in whole or in part and have their license plates stolen or lost each year, and the further fact that many license plates are removed from one car and placed on another, thereby depriving the State and counties of thousands of dollars of registrations each year, creates an emergency and imperative public necessity that the rule, requiring bills to be read on three successive days, be suspended, and this Act shall take effect thirty (30) days after its passage, and it is so enacted.

KNETSCH,  
HOSKINS,  
HARTZOG.

Amend House Bill No. 585 by striking out all above the enacting clause, and inserting in lieu thereof the following:

"An Act to amend the Acts of 1933, Forty-third Legislature, Regular Session, page 547, Chapter 178, Section 13, relating to the issuance and manufacturing of license number plates so as to provide for the issuing of a late license number plate, seal sticker, or device, as the State Highway Commission may direct, for attaching same and relating to the State Penitentiary furnishing license number plates and road signs, providing for the purchasing of road signs by the State Board of Control on requisition of the State Highway Department; the Acts of 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, Section 13-a, relating to replacement of number plates so as to provide for replacement of license number plates, seals, stickers, and/or devices; the Acts of 1934, Forty-third Legislature, Second Called Session, page 5, Chapter 3, Section 3, as amended by Acts, 1935, Forty-fourth Legislature, Regular Session, House Bill No. 515, relating to the operation of motor vehicles without license number plates so as to require a third license number plate, seal or seals, sticker or stickers, and/or device or devices as prescribed by the Highway Commission, and pro-

viding that such plates, stickers, or devices shall be placed on such motor vehicle in such position and location as directed by said department."

The amendments were severally adopted.

Mr. Aikin moved to reconsider the vote by which the call of the House was ordered.

The motion to reconsider was lost.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 585 was then passed to engrossment.

### HOUSE BILL NO. 585 ON THIRD READING

Mr. Knetsch moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 585 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adkins	Fain
Aikin	Fisher
Alexander	Fitzwater
Alsup	Ford
Ash	Fox
Atchison	Frazer
Beck	Gibson
Bergman	Glass
Bourne	Good
Bradbury	Graves
Bradford	Gray
Broyles	Greathouse
Burton	Hankamer
Butler of Brazos	Hanna
Butler of Karnes	Hardin
Caldwell	Harris of Archer
Calvert	Harris of Dallas
Canon	Hartzog
Celaya	Head
Collins	Herzik
Colquitt	Hill
Cooper	Hodges
Cowley	Hofheinz
Craddock	Holland
Crossley	Howard
Davison of Fisher	Huddleston
Davison	Hunt
of Eastland	Hyder
Dickison	James
Dunagan	Jones of Runnels
Dunlap of Hays	Jones of Shelby
Dunlap of Kleberg	Jones of Wise
Dwyer	Keefe
England	King

Knetsch	Reed of Bowie
Lange	Reed of Dallas
Lanning	Roach of Angelina
Latham	Roane
Lemens	Roark
Lindsey	Rogers
Lotief	Russell
Lucas	Rutta
Luker	Settle
Mauritz	Shofner
McCalla	Smith
McConnell	Spears
McFarland	Steward
McKee	Stinson
Moffett	Stovall
Moore	Tarwater
Morris	Thornton
Morrison	Tillery
Morse	Venable
Newton	Waggoner
Nicholson	Walker
Padgett	Wells
Patterson	Westfall
Payne	Wood of Harrison
Petsch	Wood of Montague
Pope	Worley
Quinn	Young
Reader	Youngblood

## Nays—2

Cagle	Daniel
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## Absent

Adamson	Leath
Clayton	Leonard
Colson	Riddle
Fuchs	Roach of Hunt
Hunter	Roberts
Jackson	Scarborough
Jefferson	Stanfield
Jones of Atascosa	Tennyson
Jones of Falls	

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	Palmer
Hoskins	

The Speaker then laid House Bill No. 585 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—122

Adamson	Bourne
Adkins	Bradbury
Aikin	Bradford
Alexander	Broyles
Alsup	Burton
Ash	Butler of Karnes
Atchison	Caldwell
Beck	Canon
Bergman	Celaya

Collins	Lanning
Colquitt	Latham
Cooper	Lemens
Craddock	Leonard
Crossley	Lindsey
Davison of Fisher	Lotief
Davison of Eastland	Lucas
Dickison	Luker
Dunagan	Mauritz
Dunlap of Hays	McCalla
Dwyer	McConnell
England	McFarland
Fain	McKee
Fisher	Moffett
Fitzwater	Moore
Ford	Morris
Fox	Morrison
Frazer	Morse
Gibson	Newton
Glass	Nicholson
Good	Padgett
Graves	Patterson
Gray	Payne
Greathouse	Petsch
Hankamer	Pope
Hanna	Quinn
Hardin	Reader
Harris of Archer	Reed of Dallas
Harris of Dallas	Roach of Angelina
Hartzog	Roane
Head	Roark
Herzik	Rogers
Hill	Russell
Hodges	Rutta
Hofheinz	Settle
Holland	Shofner
Howard	Smith
Huddleston	Spears
Hunt	Steward
Hunter	Stinson
Hyder	Stovall
Jackson	Tarwater
James	Thornton
Jones of Atascosa	Tillery
Jones of Falls	Venable
Jones of Runnels	Waggoner
Jones of Shelby	Walker
Jones of Wise	Westfall
Keefe	Wood of Harrison
King	Wood of Montague
Knetsch	Worley
Lange	Young

## Nays—4

Cagle	Tennyson
Daniel	Youngblood

## Absent

Butler of Brazos	Leath
Calvert	Reed of Bowie
Clayton	Riddle
Colson	Roach of Hunt
Cowley	Roberts
Dunlap of Kleberg	Scarborough
Fuchs	Stanfield
Jefferson	Wells

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	Palmer
Hoskins	

**BILLS AND RESOLUTION  
SIGNED BY THE  
SPEAKER**

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 266, "An Act declaring the policy of the State with reference to the preservation of natural resources and protection of the rights of the owners of gas producing properties; defining certain terms used in this bill; declaring certain corporations to be public service utilities; etc., and declaring an emergency."

H. B. No. 614, "An Act to provide for the renewal and extension of oil and gas permit No. 11,752 on a portion of the Pecos River bed; providing for the placing of all income therefrom, and for all income from oil and gas development from river beds in Texas, in the Permanent School Fund, and declaring an emergency."

H. B. No. 776, "An Act to make it unlawful to take, hunt, trap, shoot, or kill any deer for a period of three years in Taylor County, Texas; fixing penalties, and declaring an emergency."

H. B. No. 973, "An Act amending Article 198, Title 8, Revised Civil Statutes of 1925, as heretofore amended, by taking Cherokee County from the Sixth Supreme Judicial District and placing said county within the Ninth Supreme Judicial District; etc., and declaring an emergency."

H. B. No. 908, "An Act to prohibit the use of a steel trap for taking fur-bearing animals in Cherokee County, with certain exceptions; providing a penalty; repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 319, "An Act granting to Willis Fountain of New Boston, Bowie County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Bowie County, Texas,

for damages sustained to his property by the construction of dams on each side of Highway No. 8, which runs between the towns of New Boston and Corley, in Bowie County, diverting the water on the farm of Willis Fountain; etc., and declaring an emergency."

H. B. No. 771, "An Act providing for the taking of fish from the fresh waters of Grayson County, Texas, and making it unlawful to take any such fish except by ordinary hook and line or by seine or net, the mesh of which is less than one and one-half inch square; providing that seines and nets may be used only during August, only for propagation purposes under supervision of game warden; etc., and declaring an emergency."

H. B. No. 158, "An Act to provide for attendance of rural pupils or of other pupils in high schools at the expense of their home districts and of the State; for certification of eligibility of pupils and districts for tuition privileges in the high schools; etc., and declaring an emergency."

H. B. No. 600, "An Act prohibiting the setting of any steel trap, snare, or deadfall in Smith County for the purpose of taking any fur-bearing animals for a period of two years; repealing all laws, in so far as they conflict with this Act; providing a penalty for violation of this Act, and declaring an emergency."

H. B. No. 778, "An Act prohibiting the use of a steel trap, snare, or deadfall; the taking of the pelt of a fur-bearing animal; the offering for sale the pelt of a fur-bearing animal, or the possession of a fur-bearing animal, dead or alive, in Shelby County for a period of two years following the passage of this Act; etc., and declaring an emergency."

H. B. No. 502, "An Act amending Section 3 of Senate Bill No. 247, Chapter 158, page 400, Acts of the Regular Session of the Forty-third Legislature, 1933; empowering the Rehabilitation Division of the State Department of Education to take census, make surveys, and establish permanent records of crippled children, and to co-operate with the Department of Education in providing equipment for and instruction of same; authorizing such division to organize and supervise diagnostic clinics and

to approve and select physicians; etc., and declaring an emergency."

S. B. No. 465, "An Act to provide that in all counties having a population of 350,000 or more, according to the last preceding Federal Census, upon petition of one hundred and fifty or more of the qualified voters of such county, the county judge of such county shall order an election for the purpose of submitting to the qualified voters of such county the question of whether or not a tax for school purposes not to exceed one cent on the one hundred dollars valuation of such taxable property in such counties shall be levied, assessed and collected for an equalization fund for the purpose of equalizing educational opportunities in such counties, and for the payment of administration expenses, and declaring an emergency."

S. J. R. No. 18, Proposing an amendment to Section 48, Article III, of the Constitution of the State of Texas, authorizing the establishment of Teachers' Retirement Systems, and making an appropriation for the election.

#### MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 473, A bill to be entitled "An Act amending Article 6570, Title 113, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

S. B. No. 496, A bill to be entitled "An Act authorizing any city of more than one hundred thousand population, according to the last preceding census, to codify and adopt a code of civil and criminal ordinances without the necessity of publication; providing for the taking effect of said code upon adoption, providing for the reception in evidence of such code when printed under the supervision of the governing body of said city and the effect of such admission in evidence; and declaring an emergency."

S. B. No. 513, A bill to be entitled "An Act granting to A. T. Sayers, and as next friend for Leonard Sayers, a minor, of San Antonio, Bexar County, Texas, permission to bring suit against the State of Texas and/or the State Highway Department in the District Court of Bexar County, Texas, for damages sustained to his automobile and for personal injuries to said Leonard Sayers, on account of the negligence of an employe of the State Highway Department; providing for place of venue; providing such suit may be filed within two years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

S. B. No. 516, A bill to be entitled "An Act authorizing the Judge of the Criminal District Court of Bexar County, Texas, to transfer criminal cases to the 37th, 45th, 57th and 73rd District Courts, Bexar County, Texas; describing the procedure therefor and the duty of the district clerk in relation thereto, and providing that all writs, processes, bonds and recognizances in such cases so transferred shall be transferred with said cases and be as binding in the court to which the case or cases are transferred as in the court in which same were originally issued, and declaring an emergency."

S. B. No. 520, A bill to be entitled "An Act amending the subdivision of Article 199, Revised Civil Statutes of 1925, relating to the District Courts of Bexar County, being the subdivision identified by the numbers 37th, 45th, 57th, 73rd, 94th, so as to make such subdivision apply only to the district courts of the 37th, 45th, etc., and declaring an emergency."

S. B. No. 524, A bill to be entitled "An Act to provide for fees for constables whose precincts lie in counties having a population of more than 200,000 and less than 300,000 by the last preceding Federal Census and whose precincts lie in whole or in part in an incorporated city or town having a population of more than 10,000 by the last preceding Federal Census, such fees to be the same as those now allowed to sheriffs and like fees allowed such officers in

all cases where the defendant is convicted or pleads guilty, and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

# HOUSE BILL NO. 785 ON SECOND READING

Mr. Alexander moved that the regular order of business be suspended to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 785, A bill to be entitled "An Act defining the word 'liquor', defining what constitutes a case of liquor, levying a tax of three dollars (\$3.00) on each and every case of intoxicating liquor sold, stored or distributed in this State, or imported into this State; fixing the duty of paying said tax and affixing and canceling the tax stamp as provided in this Act; providing that said tax shall rest primarily upon the importer, making it unlawful to import intoxicating liquor into this State unless said tax has been first paid and the tax stamp affixing such payment has been first affixed and canceled as required by this Act; etc., and declaring an emergency."

The motion prevailed by the following vote:

## Yeas—96

Adamson	Dunlap of Hays
Adkins	Dunlap of Kleberg
Alexander	Dwyer
Alsup	England
Ash	Fisher
Atchison	Fitzwater
Beck	Frazer
Bourne	Glass
Bradford	Good
Broyles	Gray
Burton	Greathouse
Butler of Brazos	Hanna
Butler of Karnes	Hardin
Caldwell	Harris of Archer
Calvert	Harris of Dallas
Celaya	Hartzog
Clayton	Herzik
Collins	Hill
Colquitt	Hofheinz
Colson	Holland
Cooper	Howard
Cowley	Huddleston
Craddock	Hyder
Crossley	James
Dickison	Jones of Atascosa
Dunagan	Jones of Falls

King	Roane
Knetsch	Roberts
Leath	Rogers
Leonard	Russell
Luker	Rutta
Mauritz	Settle
McFarland	Shofner
McKee	Smith
Moore	Spears
Morse	Stanfield
Newton	Steward
Nicholson	Stinson
Padgett	Tarwater
Patterson	Tennyson
Payne	Thornton
Pope	Venable
Quinn	Waggoner
Reader	Walker
Reed of Bowie	Wood of Montague
Reed of Dallas	Worley
Roach of Angelina	Young
Roach of Hunt	Youngblood

## Nays—35

Aikin	Jones of Runnels
Bergman	Jones of Shelby
Bradbury	Jones of Wise
Cagle	Keefe
Canon	Lanning
Daniel	Latham
Davison of Fisher	Lemens
Davisson	Lindsey
of Eastland	Lotief
Fain	McCalla
Fox	McConnell
Gibson	Moffett
Graves	Morris
Head	Roark
Hodges	Stovall
Hunt	Wells
Hunter	Westfall
Jackson	Wood of Harrison

## Absent

Ford	Morrison
Fuchs	Petsch
Hankamer	Riddle
Jefferson	Scarborough
Lange	Tillery
Lucas	

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	Palmer
Hoskins	

The Speaker laid the bill before the House, and it was read second time.

Mr. Alexander moved that further consideration of House Bill No. 785 be postponed until 2:00 o'clock p. m., today.

Mr. Aikin moved that further consideration of House Bill No. 785 be

postponed until 2:00 o'clock p. m., next Tuesday.

Question first recurring on the motion by Mr. Aikin, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—36

Aikin	Jones of Falls
Bergman	Jones of Shelby
Bradbury	Jones of Wise
Broyles	Keefe
Cagle	Lanning
Canon	Lemens
Daniel	Lindsey
Davison of Fisher	Lotief
Davisson	Morris
of Eastland	Morrison
Fain	Payne
Fox	Reader
Gibson	Roach of Angelina
Graves	Roark
Head	Russell
Holland	Tillery
Huddleston	Westfall
Hunt	Wood of Harrison
Hunter	

## Nays—92

Adamson	Hanna
Adkins	Hardin
Alexander	Harris of Archer
Alsup	Harris of Dallas
Ash	Herzik
Atchison	Hill
Beck	Hodges
Bourne	Hofheinz
Bradford	Howard
Burton	Hyder
Butler of Brazos	Jackson
Butler of Karnes	James
Caldwell	Jones of Atascosa
Celaya	King
Clayton	Knetsch
Collins	Leath
Colquitt	Lange
Cooper	Lucas
Cowley	Luker
Craddock	Mauritz
Crossley	McCalla
Dickison	McConnell
Dunagan	McFarland
Dunlap of Hays	McKee
Dwyer	Moffett
England	Moore
Fisher	Morse
Fitzwater	Newton
Ford	Nicholson
Frazer	Padgett
Fuchs	Patterson
Glass	Pope
Good	Quinn
Gray	Reed of Bowie
Greathouse	Reed of Dallas
Hankamer	Roach of Hunt

Roane	Stovall
Rogers	Tarwater
Rutta	Tennyson
Settle	Thornton
Shofner	Venable
Smith	Waggoner
Spears	Walker
Stanfield	Wood of Montague
Steward	Worley
Stinson	Youngblood

## Absent

Calvert	Leonard
Colson	Petsch
Dunlap of Kleberg	Riddle
Hartzog	Roberts
Jefferson	Scarborough
Jones of Runnels	Wells
Latham	Young

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	Palmer
Hoskins	

Question next recurring on the motion by Mr. Alexander, it prevailed.

## HOUSE BILL NO. 77 WITH SENATE AMENDMENTS

Mr. Jones of Runnels called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 77, A bill to be entitled "An Act creating a conservation and reclamation district to be known as the Upper Colorado River Authority, pursuant to and for the purposes set forth in Section 59 of Article XVI, of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate without power to mortgage or encumber any of its property, or to alienate any property necessary to its business, or to levy taxes or assessments or to create any indebtedness payable out of taxes or assessments, or to pledge the credit of the State, fixing boundaries thereof, conferring thereon all powers, rights, privileges and functions conferred by general law upon districts created pursuant to said Section 59, except as expressly limited; etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Jones of Runnels, the House concurred in the Senate amendments by the following vote:



## Yeas—110

Adamson	Jones of Runnels
Adkins	Jones of Shelby
Alexander	Jones of Wise
Alsup	Keefe
Ash	King
Atchison	Knetsch
Bourne	Lanning
Bradbury	Leath
Bradford	Lemens
Butler of Brazos	Lindsey
Butler of Karnes	Lotief
Cagle	Lucas
Caldwell	Luker
Celaya	Mauritz
Clayton	McConnell
Collins	McFarland
Colquitt	McKee
Colson	Morris
Cooper	Morrison
Cowley	Morse
Craddock	Newton
Crossley	Nicholson
Daniel	Padgett
Davison of Fisher	Patterson
Davison of Eastland	Payne
Dickson	Pope
Dunagan	Quinn
Dunlap of Hays	Reader
England	Reed of Bowie
Fain	Reed of Dallas
Fisher	Roach of Angelina
Ford	Roach of Hunt
Fox	Roane
Fuchs	Roark
Gibson	Rogers
Glass	Rutta
Graves	Settle
Gray	Shofner
Greathouse	Smith
Hankamer	Spears
Hanna	Stanfield
Harris of Dallas	Steward
Head	Stinson
Herzik	Stovall
Hill	Tarwater
Hodges	Thornton
Hofheinz	Tillery
Howard	Waggoner
Huddleston	Walker
Hunt	Wells
Hunter	Westfall
Hyder	Wood of Montague
Jackson	Worley
James	Young
Jones of Falls	Youngblood

## Nays—13

Aikin	McCalla
Beck	Moffett
Bergman	Russell
Broyles	Tennyson
Canon	Venable
Hardin	Wood of Harrison
Harris of Archer	

## Absent

Burton	Jones of Atascosa
Calvert	Lange
Dunlap of Kleberg	Latham
Dwyer	Leonard
Fitzwater	Moore
Frazer	Petsch
Good	Riddle
Hartzog	Roberts
Holland	Scarborough
Jefferson	

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	Palmer
Hoskins	

## MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 581, A bill to be entitled "An Act regulating the use of the public highways for the transportation of crude petroleum or the products of crude petroleum by trucks or other vehicles; making it unlawful for the driver or operator of any truck or other vehicle containing petroleum or products of petroleum to transport the same over the public highways of the State unless he has obtained from the person, firm, or corporation from whom he received the products contained in his truck or vehicle, a certificate signed by such person, firm, or corporation, showing the name and residence of the driver or operator of such truck or vehicle; etc." (With amendments.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

## SENATE JOINT RESOLUTION NO. 22 ON SECOND READING

The Speaker laid before the House, as unfinished business,

S. J. R. No. 22, Proposing an amendment to Section 1, Article VIII of the Constitution of Texas, by adding thereto a subsection to be known as Section 1-a of Article VIII, etc.;

The resolution having heretofore been read second time, with commit-

tee amendment by Mr. Butler of Brazos, pending.

(Mr. Spears in the Chair.)

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 285, to the Committee on Conservation and Reclamation.

Senate Bill No. 442, to the Committee on Labor.

Senate Bill No. 473, to the Committee on Judiciary.

Senate Bill No. 496, to the Committee on Municipal and Private Corporations.

Senate Bill No. 513, to the Committee on State Affairs.

Senate Bill No. 516, to the Committee on Judicial Districts.

Senate Bill No. 520, to the Committee on Judicial Districts.

Senate Bill No. 524, to the Committee on State Affairs.

#### RECESS

On motion of Mr. Wells, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### LEAVE OF ABSENCE GRANTED

(By Unanimous Consent)

Mr. McConnell was granted leave of absence for this afternoon on account of important business, on motion of Mr. Stovall.

#### BILL RECOMMITTED

On motion of Mr. Alexander, House Bill No. 785 was recommitted to the Committee on Revenue and Taxation.

#### MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate

has refused to concur in House amendments to Senate Bill No. 49 and requests the appointment of a conference committee to adjust the differences between the two houses.

The following have been appointed on the part of the Senate: Senators Oneal, Cotten, Burns, Davis, and Westerfeld.

The Senate has passed

H. B. No. 71, A bill to be entitled "An Act relating to the licensing of motor vehicle operators and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways, providing for issuance of licenses, revocation of operator's and chauffeur's licenses under certain conditions, forbidding driving by persons without licenses, providing penalties, etc., and declaring an emergency." (With amendments.)

The Senate has adopted

S. C. R. No. 49, Relative to suspending Joint Rule 22, in order that the Senate may take up and consider, at this time, Senate Bill No. 525.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### SENATE JOINT RESOLUTION NO. 22 ON SECOND READING

The House resumed consideration of pending business, same being Senate Joint Resolution No. 22, proposing certain amendment to the State Constitution.

The resolution having heretofore been read second time, with committee amendment by Mr. Butler of Brazos, pending.

Mr. Butler of Brazos withdrew the committee amendment.

Mr. Moffett offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 22 by striking out all below the resolving clause and inserting in lieu thereof the following:

Section 1. That Section 1 of Article VIII of the Constitution of Texas be amended by adding thereto the following sections, which shall read as follows:

"Section 1-b. Subject to the three thousand dollar homestead exemption provided for in Section 1-a of Article VIII of the Constitution, there shall

be levied and collected on all property in this State an annual State ad valorem tax of not to exceed seventeen cents on the one hundred dollars valuation. Seven cents of the said levy shall be used for the payment of Confederate pensions as is now provided, in Section 51 of Article III of the Constitution. The remaining ten cents of the said seventeen-cent State ad valorem tax shall be used as the Legislature may provide by law.

"Section 1-c. The maximum ad valorem rate that any school district in this State may levy upon the property in said district shall not exceed fifty cents on the one hundred dollars valuation. The funds derived from this levy shall be devoted wholly and exclusively to the construction and maintenance of school buildings, and the necessary appurtenances thereto, in said district, including the retirement of any indebtedness heretofore or hereafter incurred for the same. The cost of operation of the public free school system shall be borne by the State and shall be provided for by the Legislature from any revenue sources now or hereafter permitted under the Constitution, other than a tax on real property.

"Section 1-d. The assessed value of property for any purpose shall never exceed the cash market value of such property.

"In any election, in any political subdivision, municipality, or other defined district, in this State, in which the question of issuance of bonds, or the incurring of debt is voted upon, it shall be necessary that said question receive a majority of two-thirds of the qualified voters (meaning those qualified to vote on bond issues) voting at said election before said question is carried, or indebtedness incurred.

"No general sales tax shall ever be levied upon the necessities of life."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this State on the first Tuesday after the first Monday in November, 1936, at which election all voters favoring said amendment shall write or have printed on their ballots the words: "For the amendment to the Constitution relieving property assessed on an ad valorem basis by eliminating

the total amount that may be levied for general purposes annually to seventeen cents on the one hundred dollars valuation, and to fifty cents on the one hundred dollars valuation for school purposes and providing for the substitution of other revenue in place of the above mentioned reduction on real property."

Those opposing said amendment shall write or have printed on their ballots the words: "Against the amendment to the Constitution relieving property assessed on an ad valorem basis by eliminating the total amount that may be levied for general purposes annually to seventeen cents on the one hundred dollars valuation and to fifty cents on the one hundred dollars valuation for school purposes and providing for the substitution of other revenue in place of the above mentioned reduction on real property."

Sec. 3. The Governor of Texas is hereby directed to issue the necessary proclamation for said election and have the same published as required by the Constitution and Laws of the State of Texas.

Sec. 4. The sum of \$6,000, or as much more as may be necessary, is hereby appropriated out of any funds in the Treasury of the State, not otherwise appropriated, to pay expenses of said publication and election.

Mr. McCalla moved that further consideration of Senate Joint Resolution No. 22 be postponed until 10 o'clock a. m., next Monday.

Mr. Alsup moved to table Senate Joint Resolution No. 22.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—64

Adamson	Cooper
Adkins	Craddock
Alsup	Crossley
Beck	Daniel
Bergman	Davisson
Bradbury	of Eastland
Broyles	Dickison
Burton	Dwyer
Caldwell	Fisher
Calvert	Gibson
Clayton	Good
Colquitt	Gray

Hankamer	Payne
Hardin	Petsch
Head	Reader
Hodges	Reed of Bowie
Hunt	Roach of Angelina
Jackson	Roach of Hunt
Jones of Runnels	Roark
Jones of Shelby	Rogers
Jones of Wise	Spears
Keefe	Stinson
Lanning	Tarwater
Latham	Thornton
Leath	Tillery
Lindsey	Venable
Luker	Waggoner
McCalla	Westfall
McConnell	Wood of Harrison
Moore	Wood of Montague
Morris	Worley
Padgett	Youngblood
Patterson	

## Nays—51

Aikin	Hyder
Alexander	James
Atchison	Jones of Atascosa
Bourne	King
Bradford	Lemens
Butler of Brazos	Lotief
Cagle	Lucas
Celaya	Mauritz
Collins	McFarland
Cowley	Moffett
Davison of Fisher	Morrison
England	Morse
Fain	Newton
Ford	Nicholson
Fox	Quinn
Frazer	Reed of Dallas
Glass	Roane
Greathouse	Russell
Hanna	Rutta
Harris of Archer	Shofner
Harris of Dallas	Stanfield
Herzik	Stovall
Hofheinz	Tennyson
Holland	Walker
Howard	Young
Huddleston	

## Absent

Ash	Jones of Falls
Butler of Karnes	Knetsch
Canon	Lange
Colson	Leonard
Dunagan	McKee
Dunlap of Hays	Palmer
Dunlap of Kleberg	Pope
Fitzwater	Riddle
Fuchs	Roberts
Graves	Scarborough
Hartzog	Settle
Hill	Smith
Hoskins	Steward
Hunter	Wells
Jefferson	

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	

HOUSE JOINT RESOLUTION NO.  
43 ON SECOND READING

The Speaker laid before the House, on its second reading,

H. J. R. No. 43, Proposing to repeal Article III of the Constitution of the State of Texas, the same being the article creating the Legislative Department of the State, and to adopt and enact a new Article III in lieu thereof, reorganizing the Legislative Department of the State of Texas.

The resolution was read second time.

Mr. Westfall moved that House Joint Resolution No. 43 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—63

Adamson	Hoskins
Adkins	Howard
Alexander	Huddleston
Ash	Jackson
Bergman	James
Bradford	Jones of Atascosa
Broyles	King
Burton	Knetsch
Butler of Karnes	Lange
Celaya	Lemens
Clayton	Lindsey
Colquitt	McConnell
Cowley	McFarland
Crossley	McKee
Davisson	Moore
of Eastland	Morrison
Dunlap of Kleberg	Newton
Dwyer	Nicholson
Frazer	Palmer
Fuchs	Patterson
Gibson	Petsch
Good	Roach of Angelina
Graves	Roberts
Gray	Russell
Greathouse	Stinson
Hankamer	Stovall
Hanna	Tennyson
Harris of Archer	Tillery
Harris of Dallas	Westfall
Head	Wood of Harrison
Hodges	Young
Holland	Youngblood

## Nays—60

Aikin	Latham
Alsup	Leonard
Atchison	Lotief
Bourne	Lucas
Bradbury	Luker
Butler of Brazos	Mauritz
Cagle	McCalla
Caldwell	Moffett
Calvert	Morris
Canon	Payne
Collins	Quinn
Cooper	Reader
Craddock	Reed of Bowie
Daniel	Reed of Dallas
Davison of Fisher	Roach of Hunt
Dickison	Roane
Dunlap of Hays	Roark
England	Rogers
Fain	Rutta
Fisher	Shofner
Ford	Smith
Fox	Spears
Glass	Stanfield
Hardin	Tarwater
Herzik	Thornton
Hofheinz	Venable
Hyder	Waggoner
Jones of Shelby	Walker
Jones of Wise	Wells
Keefe	Wood of Montague
Lanning	

## Absent

Beck	Jones of Runnels
Colson	Leath
Dunagan	Morse
Fitzwater	Padgett
Hartzog	Pope
Hill	Riddle
Hunt	Scarborough
Hunter	Settle
Jefferson	Steward
Jones of Falls	Worley

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 80, "An Act to amend Article 6078, Revised Statutes, dealing with public parks."

H. B. No. 340, "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas, which levies are

unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission, or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; etc., and declaring an emergency."

H. B. No. 265, "An Act amending Article 1583 of the Penal Code of Texas, 1925, relating to work and vacation of firemen and policemen in cities of more than 25,000 inhabitants and in cities of more than 30,000 inhabitants; providing penalties for violation of the provisions of this article, and declaring an emergency."

H. B. No. 510, "An Act to amend Article 1656-a, Title 34, Subdivision 2, Revised Civil Statutes of Texas, being House Bill No. 875, Chapter 98, page 217, General and Special Laws enacted by the Forty-third Legislature at its Regular Session, 1933, providing that the county auditor in certain counties shall prescribe the system, forms, and reports to be used in connection with the receipt and disbursement of county revenues, funds, fees, and moneys received and disbursed by county and precinct officers, so as to include the district clerk and district attorney; providing for the repeal of all laws in conflict herewith; providing that if any part of this Act shall be declared unconstitutional it shall not affect the validity of the remainder, and declaring an emergency."

H. B. No. 593, "An Act authorizing the county judge to employ a stenographer or clerk in any county of not less than forty-three thousand (43,000) and not more than forty-three thousand and one hundred (43,100) inhabitants, according to the last Federal Census report; regulating the salary of said stenographer or clerk, providing for the payment of same; providing for his removal, and declaring an emergency."

## REQUEST OF SENATE GRANTED

On motion of Mr. Tennyson, the House granted the request of the

Senate for the appointment of a conference committee to adjust the differences between the House and Senate on Senate Bill No. 49.

#### HOUSE BILL NO. 581 WITH SENATE AMENDMENTS

Mr. Latham called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 581, A bill to be entitled "An Act regulating the use of the public highways for the transportation of crude petroleum or the products of crude petroleum by trucks or other vehicles; making it unlawful for the driver or operator of any truck or other vehicle containing petroleum or products of petroleum to transport the same over the public highways of the State unless he has obtained from the person, firm, or corporation from whom he received the products contained in his truck or vehicle, a certificate signed by such person, firm, or corporation, showing the name and residence of the driver or operator of such truck or vehicle; the numbers upon the license plate of such truck or vehicle; the day, hour, and place where such truck or vehicle was loaded and the destination of such load, etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

Mr. Latham moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

#### RELATIVE TO SENATE JOINT RESOLUTION NO. 3

Mr. Thornton moved a call of the House for the purpose of maintaining a quorum pending consideration of the conference committee report on Senate Joint Resolution No. 3, and the call was duly ordered.

On motion of Mr. Thornton, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

#### SUSPENDING CERTAIN JOINT RULE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 49, Suspending certain Joint Rule.

Be it resolved by the Senate, the House of Representatives concurring, That Joint Rule 22 be, and the same is hereby, suspended in order that the Senate may take up and consider, at this time, Senate Bill No. 525.

The resolution was read second time, and was adopted.

(Mr. Alexander in the Chair.)

#### MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on Senate Joint Resolution No. 3 by the following vote: Yeas, 29; nays, 1.

S. J. R. No. 3, in the report, was adopted by the following vote: Yeas, 27; nays, 3.

S. J. R. No. 3-a, in the report, was adopted by the following vote: Yeas, 26; nays, 4.

The Senate has granted the request of the House for a conference committee to adjust the differences between the two houses on House Bill No. 408, by a viva voce vote. The following have been appointed on the part of the Senate: Senators Davis, Pace, Burns, Cotten, and Shivers.

The Senate has complied with the provisions of House Concurrent Resolution No. 75, and appointed, on the part of the Senate, Senators Oneal and Holbrook.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### CONFERENCE COMMITTEE REPORT ON SENATE JOINT RESOLUTION NO. 3

Mr. Morse submitted the following conference committee report on Senate Joint Resolution No. 3:

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Walter F. Woodul, President of the Senate, and Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your committee appointed to adjust the differences between

the Senate and House of Representatives on Senate Joint Resolution No. 3, have had the same under consideration and recommend to the Senate and House of Representatives that Senate Joint Resolution No. 3 in its original or in the form passed by the Senate or the House do not pass, but recommend that in lieu thereof the Senate and House do pass Senate Joint Resolution No. 3 and Senate Joint Resolution No. 3-a, in the attached form.

Your committee further recommends that neither Senate Joint Resolution No. 3 nor Senate Joint Resolution No. 3-a pass without the passage of the other.

"S. J. R. No. 3, A joint resolution, Proposing an amendment to Article XVI, of the Constitution of Texas, by striking out Section 20-a to Section 20-e, both inclusive; prohibiting the open saloon and vesting in the Legislature the power to define and enact laws against such; vesting in the Legislature the power to regulate the manufacture, sale, transportation, and possession of intoxicating liquors, including the power to provide for a State monopoly on the sale of distilled liquors; providing that intoxicating liquors shall not be manufactured, sold, bartered or exchanged in any county, justice's precinct or incorporated city or town wherein the sale of intoxicating liquors had been prohibited by local option election held under the laws in force at the date of the taking effect of Section 20, Article XVI of the Constitution of the State of Texas, until a majority of the qualified voters of such county or political subdivision shall determine such to be lawful at an election held for that purpose; providing that such shall not prohibit the sale of alcoholic beverages containing less than 3.2 per cent alcohol by weight in cities, counties or political subdivisions in which the qualified voters have voted to legalize such sale under the provisions of Chapter 116, Acts of the Regular Session of the Forty-third Legislature; providing for an election on the question of the adoption or rejection of such amendment; prescribing the form of ballot; providing for the proclamation and publication of such by the Governor and making an appropriation therefor."

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article XVI of the Constitution of Texas be amended by striking out Section 20-a to Section 20-e, both inclusive, and substitute in lieu thereof the following:

"Article XVI. Section 20.

"(a) The open saloon shall be and is hereby prohibited. The Legislature shall have the power, and it shall be its duty to define the term 'open saloon' and enact laws against such. Subject to the foregoing, the Legislature shall have the power to regulate the manufacture, sale, possession and transportation of intoxicating liquors, including the power to establish a State monopoly on the sale of distilled liquors.

"(b) The Legislature shall enact a law or laws whereby the qualified voters of any county, justice's precinct or incorporated town or city, may, by a majority vote of those voting, determine from time to time whether the sale of intoxicating liquors for beverage purposes shall be prohibited or legalized within the prescribed limits; and such laws shall contain provisions for voting on the sale of intoxicating liquors of various types and various alcoholic content.

"(c) In all counties, justices' precincts or incorporated towns or cities wherein the sale of intoxicating liquors had been prohibited by local option elections, held under the laws of the State of Texas and in force at the time of the taking effect of Section 20, Article XVI, of the Constitution of Texas, it shall continue to be unlawful to manufacture, sell, barter or exchange in any such county, justice's precinct or incorporated town or city any spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication or any other intoxicants whatsoever, for beverage purposes, unless and until a majority of the qualified voters in such county or political subdivision thereof voting in an election held for such purpose shall determine such to be lawful; provided that this subsection shall not prohibit the sale of alcoholic beverages containing not more than 3.2 per cent alcohol by weight in cities, counties or political subdivisions thereof in which the qualified voters have voted to legal-

ize such sale under the provisions of Chapter 116, Acts of the Regular Session of the Forty-third Legislature."

Sec. 2. Such proposed constitutional amendment shall be submitted to a vote of the qualified electors of this State at a special election to be held throughout the State of Texas, on the fourth Saturday in August, 1935, at which election all voters favoring said proposed amendment, shall write, or have printed, on their ballots the words:

"For the amendment to the State Constitution repealing State-wide prohibition, prohibiting the open saloon and providing for local option."

And those voters opposed to said proposed amendment shall write, or have printed, on their ballots the words:

"Against the amendment to the State Constitution repealing State-wide prohibition, prohibiting the open saloon and providing for local option."

If it appears from the returns of said election that a majority of the votes cast are in favor of said amendment, the same shall become a part of the State Constitution.

Sec. 3. The Governor shall issue the necessary proclamation for such election, and shall have the same published and such election held as provided by the Constitution and Laws of this State.

Sec. 4. The sum of eight thousand dollars (\$8,000), or so much thereof as may be necessary, is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election.

"S. J. R. No. 3-a, Proposing an amendment to Article XVI of the Constitution of the State of Texas by striking out Section 20 thereof; providing for local option on the question of the sale of intoxicating liquors for beverage purposes; providing that spirituous liquors, or liquors composed in whole or in part of the products of distillation shall not be sold for private profit, except to the State; providing that the Legislature shall pass laws relative to the sale, possession, transportation and manufacture of such spirituous liquors; providing for the establishment of State dispensaries; providing for the manufacture, sale, transportation and pos-

session of all liquors which are exclusively products of the fermentation process; providing that intoxicating liquors shall not be manufactured, sold, bartered, or exchanged for beverage purposes in any county or political subdivision wherein the sale of intoxicating liquors had been prohibited by local option elections held under the laws in force at the time of the taking effect of Section 20, Article XVI, of the Constitution of the State of Texas, until a majority of the qualified voters of such county or political subdivision shall determine such to be lawful at an election held for that purpose; providing for an election on the question of the adoption or rejection of such amendment and making an appropriation therefor; providing for the proclamation and publication thereof; and prescribing the form of ballot."

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article XVI of the Constitution of the State of Texas be amended by striking out Section 20 thereof and substituting in lieu thereof the following:

"Article XVI. Section 20.

"(a) It is hereby declared to be the policy of this State that the open saloon shall not be re-established. The sale of spirituous liquors, manufactured in whole or in part by means of the process of distillation and/or liquors compounded and/or composed in part of such spirituous distilled liquors, for private profit, is prohibited within this State except when such sale is made to the State. The State of Texas shall have the exclusive right to purchase at wholesale and to sell at retail such distilled spirituous liquors. Such sale shall be made only in unbroken packages and no such liquors shall be consumed on the premises where sold. The Legislature shall pass laws to prescribe regulations relative to the manufacture, sale, transportation, and possession of such spirituous liquors and relative to the establishment of State dispensaries; provided, however, the Legislature shall have the power to regulate the sale for private profit and possession of distilled liquors for medicinal, scientific and mechanical purposes.

"The manufacture, sale, transportation, and possession of all liquors, the alcoholic content of which is en-



tirely and exclusively the result of the fermentation process, is hereby authorized under such restrictions as may be authorized by law.

"(b) The Legislature shall enact a law or laws whereby the qualified voters of any county, justice's precinct or incorporated town or city, may, by a majority vote of those voting, determine from time to time whether the sale of intoxicating liquors for beverage purposes shall be prohibited or legalized within the prescribed limits; and such laws shall contain provisions for voting on the sale of intoxicating liquors of various types and various alcoholic content.

"(c) In all counties, justices' precincts or incorporated towns or cities wherein the sale of intoxicating liquors had been prohibited by local option elections, held under the laws of the State of Texas and in force at the time of the taking effect of Section 20, Article XVI of the Constitution of Texas, it shall continue to be unlawful to manufacture, sell, barter or exchange in any such county, justice's precinct or incorporated town or city, any spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication or any other intoxicants whatsoever, for beverage purposes, unless and until a majority of the qualified voters in such county or political subdivision thereof voting in an election held for such purpose shall determine such to be lawful; provided that this subsection shall not prohibit the sale of alcoholic beverages containing not more than 3.2 per cent alcohol by weight in cities, counties or political subdivisions thereof in which the qualified voters have voted to legalize such sale under the provisions of Chapter 116, Acts of the Regular Session of the Forty-third Legislature."

Sec. 2. Such proposed constitutional amendment shall be submitted to a vote of the qualified electors of this State at a special election to be held throughout the State of Texas, on the third day of November, 1936, at which election all voters favoring said proposed amendment, shall write, or have printed on their ballots the words:

"For the amendment to the State Constitution providing for the establishment of a State dispensary system

having the exclusive sale of distilled liquors, and providing for local option."

And those voters opposed to said proposed amendment shall write or have printed on their ballots the words:

"Against the amendment to the State Constitution providing for the establishment of a State dispensary system having the exclusive sale of distilled liquors, and providing for local option."

If it appears from the returns of said election that a majority of the votes cast are in favor of said amendment, the same shall become a part of the State Constitution.

Sec. 3. The Governor shall issue the necessary proclamation for such election, and shall have the same published and such election held as provided by the Constitution and laws of this State.

Sec. 4. The sum of eight thousand dollars (\$8,000), or so much thereof as may be necessary, is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election.

Respectfully submitted,

MOORE,  
STONE,  
SANDERFORD,  
DeBERRY,  
HILL,

On the part of the Senate;

MORSE,  
PETSCH,  
THORNTON,  
YOUNG,  
MOFFETT,

On the part of the House.

Mr. Morse moved that the report be adopted.

Mr. Bradbury moved that the conference committee report be printed in the Journal and that further consideration of same be postponed until 2 o'clock p. m., tomorrow.

On motion of Mr. Hanna, the motion to postpone the conference committee report was tabled.

The conference committee report on Senate Joint Resolution No. 3 was then adopted by the following vote:

Yeas—121

Adamson  
Aikin  
Alexander

Alsup  
Ash  
Atchison

Beck	Jones of Atascosa
Bergman	Jones of Falls
Bourne	Jones of Runnels
Bradbury	Jones of Wise
Bradford	King
Broyles	Knetsch
Burton	Latham
Butler of Brazos	Leath
Butler of Karnes	Lemens
Cagle	Leonard
Caldwell	Lotief
Calvert	Mauritz
Canon	McCalla
Celaya	McFarland
Clayton	McKee
Collins	Moffett
Colquitt	Moore
Colson	Morris
Cooper	Morrison
Cowley	Morse
Crossley	Newton
Daniel	Nicholson
Davison of Fisher	Padgett
Davisson	Palmer
of Eastland	Patterson
Dickison	Payne
Dunagan	Petsch
Dunlap of Hays	Pope
Dunlap of Kleberg	Quinn
Dwyer	Reader
Fisher	Reed of Dallas
Ford	Roach of Angelina
Fox	Roach of Hunt
Frazer	Roane
Fuchs	Roark
Glass	Roberts
Good	Riddle
Graves	Russell
Greathouse	Rutta
Hankamer	Settle
Hanna	Shofner
Hardin	Smith
Harris of Archer	Spears
Harris of Dallas	Stanfield
Hartzog	Steward
Herzik	Stinson
Hill	Stovall
Hodges	Tarwater
Hofheinz	Tennyson
Holland	Thornton
Hoskins	Tillery
Howard	Waggoner
Huddleston	Walker
Hunt	Wells
Hyder	Wood of Montague
Jackson	Worley
James	Young
Jefferson	Youngblood

## Nays—18

Adkins	Head
Craddock	Hunter
England	Jones of Shelby
Fain	Keefe
Gibson	Lanning
Gray	Lindsey

Lucas	Venable
McConnell	Westfall
Reed of Bowie	Wood of Harrison

## Absent

Fitzwater	Rogers
Lange	Scarborough
Luker	

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	

Mr. Morse then moved that Senate Joint Resolution No. 3-a, as submitted in the report, be adopted.

The motion prevailed by the following vote:

## Yeas—132

Adamson	Good
Adkins	Graves
Aikin	Gray
Alexander	Greathouse
Alsup	Hankamer
Ash	Hanna
Atchison	Hardin
Beck	Harris of Archer
Bergman	Harris of Dallas
Bourne	Hartzog
Bradbury	Head
Bradford	Herzik
Broyles	Hill
Burton	Hodges
Butler of Brazos	Hofheinz
Butler of Karnes	Holland
Cagle	Hoskins
Caldwell	Howard
Calvert	Huddleston
Canon	Hunt
Celaya	Hyder
Clayton	Jackson
Collins	James
Colson	Jefferson
Cooper	Jones of Atascosa
Cowley	Jones of Falls
Craddock	Jones of Runnels
Crossley	Jones of Wise
Daniel	Keefe
Davison of Fisher	King
Davisson	Knetsch
of Eastland	Lanning
Dickison	Latham
Dunagan	Leath
Dunlap of Hays	Lemens
Dunlap of Kleberg	Leonard
Dwyer	Lotief
England	Lucas
Fisher	Luker
Ford	Mauritz
Fox	McConnell
Frazer	McFarland
Fuchs	McKee
Gibson	Moffett
Glass	Moore

Morris	Settle
Morrison	Shofner
Morse	Smith
Newton	Spears
Nicholson	Stanfield
Padgett	Steward
Palmer	Stinson
Patterson	Stovall
Payne	Tarwater
Petsch	Tennyson
Pope	Thornton
Quinn	Tillery
Reader	Venable
Reed of Dallas	Waggoner
Riddle	Walker
Roach of Angelina	Wells
Roach of Hunt	Wood of Harrison
Roane	Wood of Montague
Roark	Worley
Roberts	Young
Russell	Youngblood
Rutta	

## Nays—8

Colquitt	Lindsey
Fain	McCalla
Hunter	Reed of Bowie
Jones of Shelby	Westfall

## Absent

Fitzwater	Rogers
Lange	Scarborough

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	

Mr. Morse moved that Senate Joint Resolution No. 3, as submitted in the report, be adopted.

The motion prevailed by the following vote:

## Yeas—126

Adamson	Clayton
Adkins	Collins
Aikin	Colson
Alexander	Cooper
Alsup	Cowley
Ash	Craddock
Atchison	Crossley
Beck	Daniel
Bergman	Davison of Fisher
Bourne	Davisson
Bradbury	of Eastland
Bradford	Dickison
Broyles	Dunagan
Burton	Dunlap of Hays
Butler of Brazos	Dunlap of Kleberg
Butler of Karnes	Dwyer
Cagle	Fisher
Caldwell	Ford
Calvert	Fox
Canon	Frazer
Celaya	Fuchs

Glass	Moore
Good	Morris
Graves	Morse
Gray	Newton
Greathouse	Nicholson
Hankamer	Padgett
Hanna	Palmer
Hardin	Patterson
Harris of Archer	Payne
Harris of Dallas	Petsch
Hartzog	Pope
Herzik	Quinn
Hill	Reader
Hodges	Reed of Dallas
Hofheinz	Riddle
Holland	Roach of Angelina
Hoskins	Roach of Hunt
Howard	Roane
Huddleston	Roark
Hunt	Roberts
Hyder	Rogers
Jackson	Russell
James	Rutta
Jefferson	Settle
Jones of Atascosa	Shofner
Jones of Falls	Smith
Jones of Wise	Spears
Keefe	Stanfield
King	Steward
Knetsch	Stinson
Lanning	Stovall
Latham	Tarwater
Leath	Tennyson
Lemens	Thornton
Leonard	Tillery
Lotief	Venable
Luker	Waggoner
Mauritz	Walker
McCalla	Wells
McConnell	Worley
McFarland	Young
McKee	Youngblood
Moffett	

## Nays—13

England	Lucas
Fain	Morrison
Gibson	Reed of Bowie
Head	Westfall
Hunter	Wood of Harrison
Jones of Shelby	Wood of Montague
Lindsey	

## Absent

Colquitt	Lange
Fitzwater	Scarborough
Jones of Runnels	

## Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	

Mr. Morse moved to reconsider the vote by which Senate Joint Resolution No. 3-a as adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Morse moved to reconsider the vote by which Senate Joint Resolution No. 3 was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Morse moved to reconsider the vote by which the conference committee report on Senate Joint Resolution No. 3 was adopted, and to table the motion to reconsider.

The motion to table prevailed.

#### Reasons for Vote

I voted for submission for I think it is the best way to promote the cause of temperance.

#### CAGLE.

I am voting for the conference committee report on Senate Joint Resolution No. 3 because it is the only opportunity presented the House to vote to give the people of Texas an opportunity to express the wishes of the electorate on the much agitated question of prohibition repeal. This issue is a platform demand of the Democratic Party, both State and National.

I am not satisfied with the form of submission presented in this conference report. My personal opinion is that some form of State dispensary system should be tried before private business invests money in the industry.

I believe a statute should be passed at this Session of the Legislature to become effective if and when prohibition is repealed, such statute setting up a dispensary system.

This procedure would allow easy change in the event the State dispensary proved unsatisfactory, and at the same time is not subject to the objection that procedural legislation should not be placed in the Constitution of the State.

I am taking the next best thing offered, namely, the conference committee report on Senate Joint Resolution No. 3.

#### LEMENS.

#### TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Calvert offered the following resolution:

H. C. R. No. 102, To provide for adjournment sine die.

Whereas, House Concurrent Resolution No. 66, fixing the date of sine die

adjournment at 12 o'clock noon Tuesday, May 7, has been heretofore passed by the House of Representatives and the Senate of the Forty-fourth Legislature; and

Whereas, If the Legislature stands adjourned at the time so fixed in such resolution, much important legislation will be left on the calendar which might otherwise pass; and

Whereas, If the date of adjournment were set as of 12 o'clock noon Saturday, May 11, much important legislation would be saved; now, therefore, be it

Resolved by the House of Representatives of the Forty-fourth Legislature, the Senate concurring, That House Concurrent Resolution No. 66 be declared null and void, and the same is hereby set aside and held for naught; and be it further

Resolved by the House of Representatives of the Forty-fourth Legislature, the Senate concurring, That the Regular Session of the Forty-fourth Legislature, stand adjourned sine die at 12 o'clock noon, May 11, 1935.

The resolution was read second time.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

#### Yeas—81

Adkins	Hofheinz
Alsup	Holland
Atchison	Howard
Butler of Karnes	Hyder
Cagle	James
Caldwell	Jones of Falls
Calvert	Jones of Runnels
Clayton	Jones of Shelby
Collins	Jones of Wise
Colquitt	King
Cooper	Knetsch
Crossley	Lanning
Dunlap of Hays	Latham
Dunlap of Kleberg	Leath
Dwyer	Leonard
England	Lotief
Fisher	Lucas
Fuchs	Mauritz
Gibson	McCalla
Glass	McConnell
Graves	McKee
Greathouse	Moffett
Hankamer	Moore
Harris of Archer	Morris
Head	Morrison
Herzik	Newton

Padgett	Stinson
Patterson	Stovall
Payne	Tarwater
Quinn	Tennyson
Reader	Thornton
Reed of Dallas	Venable
Roach of Hunt	Waggoner
Roane	Walker
Rogers	Westfall
Russell	Wood of Harrison
Rutta	Wood of Montague
Settle	Worley
Shofner	Young
Smith	Youngblood
Stanfield	

Nays—43

Adamson	Hanna
Aikin	Hardin
Beck	Hill
Bergman	Hodges
Bourne	Hoskins
Bradbury	Huddleston
Broyles	Hunter
Burton	Jones of Atascosa
Butler of Brazos	Keefe
Canon	Lemens
Colson	Lindsey
Cowley	McFarland
Daniel	Morse
Davisson	Nicholson
of Eastland	Palmer
Dickison	Pope
Dunagan	Reed of Bowie
Fain	Roach of Angelina
Fox	Roark
Frazer	Steward
Good	Tillery
Gray	Wells

Present—Not Voting

Craddock

Absent

Alexander	Jackson
Ash	Jefferson
Bradford	Lange
Celaya	Luker
Davison of Fisher	Petsch
Fitzwater	Riddle
Ford	Roberts
Harris of Dallas	Scarborough
Hartzog	Spears
Hunt	

Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	

## MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 50, Suspending the Rules prohibiting the passage of Senate bills on House bill day in so far as they may apply to Senate Bill No. 527, the County and District Road Bond Assumption Law.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

TO SUSPEND CERTAIN JOINT  
RULE

The Chair laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 50, Suspending certain Joint Rules for the purpose of considering Senate Bill No. 527.

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, That the rules prohibiting the passage of Senate bills on House bill day be, and the same are hereby, suspended in so far as they may apply to Senate Bill No. 527, being,

"An Act to amend subsection (m) of Section 7, House Bill No. 2, Chapter 13, Acts of Forty-third Legislature, Third Called Session, as amended by Senate Bill No. 300, Chapter 136, Acts Forty-third Legislature, Regular Session; and declaring an emergency";

The same being known as the County and District Road Bond Assumption Law.

The resolution was read second time, and was adopted.

SENATE BILL NO. 86 ON SEC-  
OND READING

Mr. Dickison moved that the regular order of business be suspended to take up, and have placed on its second reading and passage to third reading,

S. B. No. 86, A bill to be entitled "An Act providing for the taking of the school census of Texas upon prescribed forms by census trustees for the year 1935-36 and providing that said census shall be added to and deducted from by the names of children who have moved in and are born into the different communities of Texas and deducting therefrom names of children who have moved out or

who have died in said communities in Texas, and declaring an emergency."

The motion prevailed by the following vote:

## Yeas—82

Adamson	Jones of Falls
Alsup	Jones of Runnels
Beck	Jones of Shelby
Bourne	Jones of Wise
Bradbury	Keefe
Bradford	Knetsch
Burton	Lanning
Butler of Brazos	Latham
Butler of Karnes	Lemens
Calvert	Leonard
Celaya	McKee
Clayton	Moore
Collins	Morris
Colquitt	Newton
Colson	Nicholson
Cooper	Padgett
Cowley	Palmer
Craddock	Patterson
Crossley	Payne
Davison of Fisher	Quinn
Davisson	Reed of Bowie
of Eastland	Reed of Dallas
Dickison	Roach of Angelina
Dunlap of Hays	Roach of Hunt
England	Roark
Fain	Roberts
Fisher	Rogers
Fox	Russell
Frazer	Settle
Fuchs	Smith
Glass	Spears
Good	Stanfield
Greathouse	Steward
Hanna	Stinson
Harris of Dallas	Stovall
Hartzog	Tarwater
Head	Thornton
Herzik	Tillery
Hill	Wood of Montague
Huddleston	Worley
James	Youngblood
Jefferson	

## Nays—40

Adkins	Howard
Aikin	Hunter
Atchison	Jones of Atascosa
Bergman	King
Broyles	Lindsey
Cagle	Lotief
Canon	Lucas
Daniel	Luker
Ford	McCalla
Gibson	McFarland
Hankamer	Moffett
Hardin	Morrison
Harris of Archer	Morse
Hodges	Pope
Hofheinz	Roane
Holland	Rutta

Shofner  
Tennyson  
Venable  
Waggoner

Walker  
Wells  
Westfall  
Wood of Harrison

## Absent

Alexander	Hyder
Ash	Jackson
Caldwell	Lange
Dunagan	Leath
Dunlap of Kleberg	Mauritz
Dwyer	Petsch
Fitzwater	Reader
Graves	Riddle
Gray	Scarborough
Hoskins	Young
Hunt	

## Absent—Excused

Davis	McConnell
Duvall	McKinney
Farmer	Olsen

The Chair laid the bill before the House, and it was read second time.

Mr. Tennyson offered the following amendment to the bill:

Amend Senate Bill No. 86, page 9, by striking out in line 20 all beginning with the word "it" and all of lines 21, 22, and 23, and "preceding school year" in line 24.

TENNYSON,  
AIKIN.

Mr. Lemens moved to table the amendment by Mr. Tennyson.

The motion to table was lost.

Question recurring on the amendment, it was adopted.

Mr. Tennyson offered the following amendment to the bill:

Amend Senate Bill No. 86 by striking out in Section 7, page 7, lines 33 to 40, inclusive, and on page 8, by striking out lines 1 to 9, inclusive, and "legally entitled to receive them" in line 10, and adding in lieu thereof the following:

"The employes necessary for the enforcement of this Act shall be as provided for in the general appropriation bill."

TENNYSON,  
AIKIN,  
WELLS,  
ROANE.

The amendment was adopted.

Mr. Tennyson offered the following amendment to the bill:

Amend Senate Bill No. 86, page 10, by striking out the last word in line 24 and "any nature and description"

in line 25, and inserting in lieu thereof: "as may be necessary for an economical administration of this Act."

TENNYSON,  
AIKIN.

The amendment was adopted.

Mr. Tennyson offered the following amendment to the bill:

Amend Senate Bill No. 86, page 8, line 37, by adding after the word "taken" the following: "only when the district taking the census finds the number claimed is not actually on the census rolls."

TENNYSON,  
AIKIN.

The amendment was adopted.

Mr. Tennyson offered the following amendment to the bill:

Amend Senate Bill No. 86, page 2, by adding after the word "county" in line 24, "under the supervision of the county superintendent," and by further adding "the superintendent of each independent district shall notify the county superintendent of the name of the census trustee for his respective district, said census trustee to be appointed as now provided by law. This list shall then be forwarded by the county superintendent to the State Superintendent as hereinbefore provided."

TENNYSON,  
AIKIN.

Mr. Thornton moved to table the amendment by Mr. Tennyson.

The motion to table was lost.

Question recurring on the amendment, it was adopted.

Mr. Aikin moved to reconsider the vote by which the amendment by Mr. Tennyson was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. McCalla offered the following amendment to the bill:

Amend Senate Bill No. 86 by striking out line 18 on page 2.

Question—Shall the amendment by Mr. McCalla be adopted?

(Speaker in the Chair.)

## BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 874, "An Act to create a more efficient road law for Lee County, providing for the payment of a tax of \$2.50 by all persons in said county, subject to road duty under the General Laws, or the performance of certain manual labor on the roads, in the discharge of said road duty, etc., and declaring an emergency."

H. B. No. 584, "An Act giving to Mrs. Lillian Hargraves, for herself and as next friend of Orin Hargraves, Edith Hargraves and Ed Harold Hargraves, minors, of Beaumont, Jefferson County, Texas, consent of the Legislature to file and prosecute suit against the State of Texas and/or the State Highway Commission in a court of competent jurisdiction in order to determine what compensation, if any, she and the surviving children of the said Lillian Hargraves and O. K. Hargraves are to receive by reason of the death of the said O. K. Hargraves received while an employe of the State Highway Commission, etc., and declaring an emergency."

H. B. No. 668, "An Act governing the use of pasture or grazing land owned by two or more parties under one fence or enclosure, providing for the recovering of damages, punishment, and penalties, and declaring an emergency."

H. B. No. 566, "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, or which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, where the city council, city commission, or other governing body of such incorporated city or town has acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town, etc., and declaring an emergency."

H. B. No. 438, "An Act prescribing the fees required of and paid by candidates in primary elections for State Senators and State Representatives in certain counties, and repealing all laws in conflict herewith, and declaring an emergency."

S. C. R. No. 44, Granting Mrs. Rozelle Graves and others permission to sue the State.

S. C. R. No. 45, Granting W. C. Davis permission to sue the State.

### RECESS

Mr. Leonard moved that the House recess to 7:30 o'clock p. m., today.

Mr. McCalla moved that the House recess to 8 o'clock p. m., today.

Mr. Dunagan moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Roane moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Leonard, it prevailed, and the House, accordingly, at 5:20 o'clock p. m., took recess to 7:30 o'clock p. m., today.

### NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by Mr. Walker.

Mr. Newton moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m., today, and the call was duly ordered.

On motion of Mr. Alsup, the Sergeant-at-Arms was instructed to bring in all members within the city who are not ill.

The roll of the House was called and the following members were present:

Adkins	Gibson
Aikin	Glass
Alsup	Good
Atchison	Graves
Beck	Gray
Bergman	Hankamer
Bourne	Hanna
Bradbury	Hardin
Bradford	Harris of Archer
Broyles	Harris of Dallas
Burton	Head
Butler of Karnes	Herzik
Cagle	Hodges
Caldwell	Hofheinz
Calvert	Holland
Clayton	Hoskins
Colquitt	Howard
Cooper	Huddleston
Cowley	Hunter
Craddock	Hyder
Davisson	Jackson
of Eastland	James
Dickson	Jefferson
England	Jones of Atascosa
Fain	Jones of Runnels
Fisher	Jones of Shelby
Fox	Jones of Wise

King	Roach of Angelina
Knetsch	Roach of Hunt
Lanning	Roark
Latham	Rogers
Leonard	Russell
Lindsey	Rutta
Lotief	Shofner
Lucas	Smith
Mauritz	Spears
McCalla	Stanfield
McConnell	Stinson
Moffett	Stovall
Moore	Tarwater
Morris	Tennyson
Morrison	Thornton
Morse	Tillery
Newton	Venable
Nicholson	Waggoner
Padgett	Walker
Palmer	Westfall
Payne	Wood of Harrison
Petsch	Wood of Montague
Quinn	Worley
Reader	Young
Reed of Bowie	Youngblood

### Absent

Adamson	Hill
Alexander	Hunt
Ash	Jones of Falls
Butler of Brazos	Keefe
Canon	Lange
Celaya	Leath
Collins	Lemens
Colson	Luker
Crossley	McFarland
Daniel	McKee
Davison of Fisher	Patterson
Dunagan	Pope
Dunlap of Hays	Reed of Dallas
Dunlap of Kleberg	Riddle
Dwyer	Roane
Fitzwater	Roberts
Ford	Scarborough
Frazer	Settle
Fuchs	Steward
Greathouse	Wells
Hartzog	

### Absent—Excused

Davis	McKinney
Duvall	Olsen
Farmer	

A quorum was announced present.

### HOUSE BILL NO. 682 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 682, A bill to be entitled "An Act amending Article 7118 of the 1925 Revised Civil Statutes of the State of Texas, being Section 3 of



Chapter 29, page 64, Acts of the Second Called Session of the Thirty-eighth Legislature of the State of Texas, by adding to the class exempted and taxed under Class 'A' therein, stepchildren of the decedent, and their direct descendants and the direct descendants of adopted children, and by adding a new article to be known as Article 7118-a, providing that such classification shall apply in the case of persons now deceased and whose estates have not been appraised for inheritance tax at the time of the passage of this Act, and declaring an emergency."

The bill was read second time.

Mr. Hankamer offered the following committee amendments to the bill:

Amend House Bill No. 682 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That Article 7118 of the 1925 Revised Civil Statutes of the State of Texas, being Section 3 of Chapter 29, page 64, Acts of the Second Called Session of the Thirty-eighth Legislature of the State of Texas, be, and the same is hereby, amended so that the same shall hereafter read as follows:

"Article 7118. Class A—Husband or Wife or Their Descendants or Ascendants. If passing to or for the use of husband or wife, or any direct lineal descendant of husband or wife, or any direct lineal descendant or ascendant of the decedent, or to legally adopted child or children, or any direct lineal descendant of adopted child or children of the decedent, or to the husband of a daughter, or the wife of a son, the tax shall be one per cent on any value in excess of twenty-five thousand dollars, and not exceeding fifty thousand dollars; two per cent on any value in excess of fifty thousand dollars, and not exceeding one hundred thousand dollars; three per cent on any value in excess of one hundred thousand dollars, and not exceeding two hundred thousand dollars; four per cent on any value in excess of two hundred thousand dollars, and not exceeding five hundred thousand dollars; five per cent on any value in excess of five hundred thousand dollars, and not exceeding one million dollars; and six per cent on any value in excess of one million dollars."

Sec. 2. "Article 7118-a—To Whom Applicable. The exemptions created by Article 7118, and the tax thereby assessed, shall apply to and be collected as to the property passing to any such person out of the estates of all persons dying from and after the passage of this Act, and also as to the property passing to any person out of the estates of all persons now deceased whose estates have not been appraised for inheritance tax purposes at the time of the passage of this Act, but this amendment shall not apply to the property passing to any person out of the estate of any person now deceased which has been appraised for inheritance tax purposes, and the liability of any and all such estates and the beneficiaries thereof, shall continue as the same existed under the law prior to the passage of this Act."

Sec. 3. All laws or parts of laws in conflict herewith are hereby in all things expressly repealed.

Sec. 4. The fact that the exemption and reduced rate of taxation as to stepchildren and the direct lineal descendants of adopted and stepchildren was omitted from the original Act, and that such condition is an injustice toward stepchildren and their descendants, and the descendants of legally adopted children, many of whom have lived with their foster and adopted parents for many years, and occupied the same relationship thereto as their own children, has caused great confusion and injustice in administering the inheritance tax of this State, and creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Amend House Bill No. 682 by striking out all above the enacting clause and inserting in lieu thereof the following:

"H. B. No. 682,

A BILL

To Be Entitled

An Act amending Article 7118 of the 1925 Revised Civil Statutes of the State of Texas, being Section 3 of Chapter 29, page 64, Acts of the Second Called Session of the Thirty-eighth Legislature of the State of

Texas, by adding to the class exempted and taxed under 'Class A' therein, stepchildren of the decedent, and their direct descendants and the direct descendants of adopted children, and by adding a new article to be known as Article 7118-a, providing that such classification shall apply in the case of persons now deceased and whose estates have not been appraised for inheritance tax at the time of the passage of this Act, and declaring an emergency."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 682 was then passed to engrossment.

#### HOUSE BILL NO. 682 ON THIRD READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 682 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Adamson	Fain
Adkins	Fisher
Aikin	Ford
Alexander	Fox
Alsup	Fuchs
Ash	Gibson
Atchison	Glass
Beck	Good
Bergman	Graves
Bourne	Gray
Bradbury	Hankamer
Bradford	Hanna
Broyles	Hardin
Burton	Harris of Archer
Butler of Karnes	Harris of Dallas
Cagle	Head
Caldwell	Herzik
Calvert	Hodges
Canon	Hofheinz
Clayton	Holland
Colquitt	Hoskins
Cowley	Howard
Craddock	Huddleston
Crossley	Hunter
Daniel	Hyder
Davisson	Jackson
of Eastland	James
Dickison	Jefferson
England	Jones of Atascosa

Jones of Falls  
Jones of Runnels  
Jones of Shelby  
Jones of Wise  
King  
Knetsch  
Lanning  
Latham  
Lemens  
Leonard  
Lindsey  
Lotief  
Lucas  
Mauritz  
McCalla  
McConnell  
Moffett  
Moore  
Morris  
Morrison  
Morse  
Newton  
Nicholson  
Padgett  
Palmer  
Patterson  
Payne  
Petsch

Quinn  
Reed of Bowie  
Reed of Dallas  
Roach of Angelina  
Roark  
Roberts  
Rogers  
Russell  
Rutta  
Settle  
Shofner  
Smith  
Spears  
Stanfield  
Stinson  
Stovall  
Tarwater  
Tennyson  
Thornton  
Tillery  
Waggoner  
Walker  
Westfall  
Wood of Harrison  
Wood of Montague  
Worley  
Young  
Youngblood

Nays—1

Venable

Absent

Butler of Brazos	Hunt
Celaya	Keefe
Collins	Lange
Colson	Leath
Cooper	Luker
Davison of Fisher	McKee
Dunagan	Pope
Dunlap of Hays	Reader
Dunlap of Kleberg	Riddle
Dwyer	Roach of Hunt
Fitzwater	Roane
Frazer	Scarborough
Greathouse	Steward
Hartzog	Wells
Hill	

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 682 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—111

Adamson	Ash
Adkins	Atchison
Aikin	Beck
Alexander	Bergman
Alsup	Bourne

Bradbury	Jones of Wise
Bradford	Keefe
Broyles	King
Burton	Knetsch
Butler of Karnes	Lanning
Cagle	Latham
Caldwell	Lemens
Calvert	Leonard
Canon	Lindsey
Clayton	Lotief
Colquitt	Lucas
Cooper	Mauritz
Cowley	McCalla
Craddock	McConnell
Crossley	Moffett
Daniel	Moore
Davisson	Morris
of Eastland	Morrison
Dickison	Morse
Dunagan	Newton
England	Nicholson
Fain	Padgett
Fisher	Palmer
Ford	Patterson
Fox	Payne
Fuchs	Petsch
Gibson	Pope
Glass	Quinn
Good	Reed of Bowie
Graves	Reed of Dallas
Gray	Roark
Hankamer	Roberts
Hanna	Russell
Hardin	Rutta
Harris of Archer	Settle
Harris of Dallas	Shofner
Head	Smith
Herzik	Spears
Hodges	Stanfield
Hofheinz	Stinson
Holland	Tarwater
Hoskins	Tennyson
Howard	Thornton
Huddleston	Tillery
Hunter	Waggoner
Hyder	Walker
Jackson	Westfall
James	Wood of Harrison
Jefferson	Wood of Montague
Jones of Atascosa	Worley
Jones of Falls	Young
Jones of Runnels	Youngblood
Jones of Shelby	

Nays—1

Venable

Absent

Butler of Brazos	Frazer
Celaya	Greathouse
Collins	Hartzog
Colson	Hill
Davison of Fisher	Hunt
Dunlap of Hays	Lange
Dunlap of Kleberg	Leath
Dwyer	Luker
Fitzwater	McKee

Reader	Rogers
Riddle	Scarborough
Roach of Angelina	Steward
Roach of Hunt	Stovall
Roane	Wells

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

HOUSE BILL NO. 987 ON SECOND  
READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 987, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas to issue surface leases for a term not exceeding 99 years to any University lands located in El Paso County, Texas, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 987 ON THIRD  
READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 987 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Adamson	Cowley
Adkins	Craddock
Aikin	Crossley
Alexander	Daniel
Alsup	Davison of Fisher
Ash	Davisson
Atchison	of Eastland
Beck	Dickison
Bergman	Dunagan
Bourne	England
Bradbury	Fain
Bradford	Fisher
Broyles	Fox
Burton	Fuchs
Butler of Karnes	Gibson
Cagle	Glass
Caldwell	Good
Calvert	Gray
Canon	Hankamer
Celaya	Hanna
Clayton	Hardin
Colquitt	Harris of Dallas
Colson	Head
Cooper	Herzik

Hodges	Nicholson
Holland	Padgett
Hoskins	Palmer
Howard	Patterson
Huddleston	Petsch
Hunter	Pope
Hyder	Quinn
Jackson	Reader
James	Reed of Bowie
Jefferson	Reed of Dallas
Jones of Atascosa	Roach of Angelina
Jones of Falls	Roark
Jones of Runnels	Roberts
Jones of Shelby	Russell
Jones of Wise	Rutta
Keefe	Settle
King	Shofner
Knetsch	Smith
Lanning	Spears
Latham	Stanfield
Lemens	Steward
Leonard	Stinson
Lindsey	Stovall
Lotief	Tennyson
Lucas	Thornton
Mauritz	Tillery
McCalla	Waggoner
McConnell	Walker
Moffett	Westfall
Moore	Wood of Harrison
Morris	Wood of Montague
Morrison	Worley
Morse	Young
Newton	Youngblood

## Nays—1

Venable

## Absent

Butler of Brazos	Hunt
Collins	Lange
Dunlap of Hays	Leath
Dunlap of Kleberg	Luker
Dwyer	McKee
Fitzwater	Payne
Ford	Riddle
Frazer	Roach of Hunt
Graves	Roane
Greathouse	Rogers
Harris of Archer	Scarborough
Hartzog	Tarwater
Hill	Wells
Hofheinz	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 987 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—111

Adamson	Jones of Falls
Adkins	Jones of Runnels
Aikin	Jones of Shelby
Alexander	Jones of Wise
Alsup	Keefe
Ash	King
Atchison	Knetsch
Beck	Lanning
Bergman	Latham
Bourne	Lemens
Bradbury	Leonard
Bradford	Lindsey
Broyles	Lotief
Burton	Lucas
Butler of Karnes	Mauritz
Cagle	McCalla
Caldwell	McConnell
Calvert	Moffett
Canon	Moore
Celaya	Morris
Clayton	Morrison
Colquitt	Morse
Colson	Newton
Cooper	Nicholson
Cowley	Padgett
Craddock	Palmer
Daniel	Patterson
Davisson	Petsch
of Eastland	Pope
Dickison	Reader
Dunagan	Reed of Bowie
England	Reed of Dallas
Fain	Roach of Angelina
Fisher	Roach of Hunt
Fox	Roark
Fuchs	Roberts
Gibson	Russell
Glass	Rutta
Good	Settle
Gray	Shofner
Hankamer	Smith
Hanna	Spears
Hardin	Stanfield
Harris of Dallas	Steward
Head	Stinson
Herzik	Stovall
Hodges	Tennyson
Hofheinz	Thornton
Holland	Tillery
Hoskins	Waggoner
Howard	Walker
Huddleston	Westfall
Hunter	Wood of Harrison
Hyder	Wood of Montague
Jackson	Worley
James	Young
Jefferson	Youngblood
Jones of Atascosa	

## Present—Not Voting

Quinn

## Absent

Butler of Brazos	Crossley
Collins	Davison of Fisher

Dunlap of Hays	Lange
Dunlap of Kleberg	Leath
Dwyer	Luker
Fitzwater	McKee
Ford	Payne
Frazer	Riddle
Graves	Roane
Greathouse	Rogers
Harris of Archer	Scarborough
Hartzog	Tarwater
Hill	Venable
Hunt	Wells

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

HOUSE BILL NO. 991 ON SECOND  
READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 991, A bill to be entitled "An Act amending Sections 2, 3, 7, and 9 of Chapter 101 of the General and Special Laws of the First Called Session of the Forty-third Legislature, said chapter providing for the creating of a Fireman, Policemen, and Fire Alarm Operators' Pension Fund in certain cities and towns having a paid fire, police and fire alarm operators' department, and creating a Board of Trustees for the same, and defining the duties and powers of the trustees thereof; etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 991 ON THIRD  
READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 991 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adkins	Bradford
Aikin	Broyles
Alexander	Burton
Alsop	Butler of Karnes
Ash	Cagle
Atchison	Caldwell
Beck	Calvert
Bergman	Canon
Bourne	Celaya
Bradbury	Clayton

Colquitt	Latham
Colson	Lindsey
Cooper	Lotief
Cowley	Lucas
Craddock	Mauritz
Crossley	McCalla
Daniel	McConnell
Davison of Fisher	Moffett
Davisson	Moore
of Eastland	Morris
Dickison	Morrison
Dunagan	Morse
England	Newton
Fain	Nicholson
Fisher	Padgett
Fox	Palmer
Fuchs	Patterson
Gibson	Petsch
Glass	Pope
Good	Reader
Gray	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Roach of Angelina
Hardin	Roach of Hunt
Harris of Archer	Roark
Harris of Dallas	Roberts
Head	Rogers
Herzik	Russell
Hodges	Rutta
Hofheinz	Settle
Holland	Shofner
Hoskins	Smith
Howard	Spears
Huddleston	Stanfield
Hunter	Steward
Hyder	Stinson
Jackson	Stovall
James	Tennyson
Jefferson	Thornton
Jones of Atascosa	Tillery
Jones of Falls	Waggoner
Jones of Runnels	Walker
Jones of Shelby	Westfall
Jones of Wise	Wood of Harrison
Keefe	Wood of Montague
King	Worley
Knetsch	Young
Lanning	Youngblood

Present—Not Voting

Quinn

Absent

Adamson	Lange
Butler of Brazos	Leath
Collins	Lemens
Dunlap of Hays	Leonard
Dunlap of Kleberg	Luker
Dwyer	McKee
Fitzwater	Payne
Ford	Riddle
Frazer	Roane
Graves	Scarborough
Greathouse	Tarwater
Hartzog	Venable
Hill	Wells
Hunt	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 991 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—117

Adamson	Howard
Aikin	Huddleston
Alexander	Hunter
Alsup	Jackson
Ash	James
Atchison	Jefferson
Bergman	Jones of Atascosa
Bourne	Jones of Falls
Bradbury	Jones of Runnels
Bradford	Jones of Shelby
Broyles	Jones of Wise
Burton	Keefe
Butler of Karnes	King
Cagle	Knetsch
Caldwell	Lanning
Calvert	Latham
Canon	Lemens
Celaya	Leonard
Clayton	Lindsey
Collins	Lucas
Colquitt	Mauritz
Colson	McCalla
Cooper	McConnell
Cowley	Moffett
Craddock	Moore
Crossley	Morris
Daniel	Morrison
Davison of Fisher	Morse
Davisson	Newton
of Eastland	Nicholson
Dickison	Padgett
Dunagan	Palmer
England	Patterson
Fain	Payne
Fisher	Petsch
Fox	Pope
Fuchs	Reader
Gibson	Reed of Bowie
Glass	Reed of Dallas
Good	Roach of Angelina
Graves	Roach of Hunt
Gray	Roark
Hankamer	Roberts
Hanna	Rogers
Hardin	Russell
Harris of Archer	Rutta
Harris of Dallas	Settle
Head	Shofner
Herzik	Smith
Hodges	Spears
Hofheinz	Stanfield
Holland	Steward
Hoskins	Stinson

Stovall  
Tennyson  
Thornton  
Tillery  
Waggoner  
Walker

Westfall  
Wood of Harrison  
Wood of Montague  
Worley  
Young  
Youngblood

## Present—Not Voting

Lotief

Quinn

## Absent

Adkins	Hunt
Beck	Hyder
Butler of Brazos	Lange
Dunlap of Hays	Leath
Dunlap of Kleberg	Luker
Dwyer	McKee
Fitzwater	Riddle
Ford	Roane
Frazer	Scarborough
Greathouse	Tarwater
Hartzog	Venable
Hill	Wells

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

CONFERENCE COMMITTEE ON  
SENATE BILL NO. 49

The Speaker announced the appointment of the following conference committee on Senate Bill No. 49: Messrs. Tennyson, Hodges, McFarland, Shofner, and Broyles.

HOUSE BILL NO. 833 ON SECOND  
READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 833, A bill to be entitled "An Act amending Article 2880, Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time.

Mr. Cagle offered the following committee amendment to the bill:

Amend House Bill No. 833 by adding after the word "states" in line 5, paragraph 1, the words "the State of Texas".

The amendment was adopted.

House Bill No. 833 was then passed to engrossment.

HOUSE BILL NO. 833 ON THIRD  
READING

Mr. Cagle moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that House Bill No. 833 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—117

Adamson	Jones of Falls
Adkins	Jones of Runnels
Aikin	Jones of Shelby
Alexander	Jones of Wise
Alsup	Keefe
Ash	King
Atchison	Knetsch
Beck	Lanning
Bergman	Latham
Bourne	Lemens
Bradbury	Leonard
Bradford	Lindsey
Broyles	Lucas
Burton	Mauritz
Butler of Karnes	McCalla
Cagle	McConnell
Calvert	Moffett
Canon	Moore
Celaya	Morris
Clayton	Morrison
Colquitt	Morse
Colson	Newton
Cooper	Nicholson
Cowley	Padgett
Craddock	Palmer
Crossley	Patterson
Daniel	Payne
Davison of Fisher	Petsch
Davisson	Pope
of Eastland	Quinn
Dickison	Reader
Dunagan	Reed of Bowie
England	Reed of Dallas
Fain	Roach of Angelina
Fisher	Roark
Fox	Roberts
Fuchs	Russell
Gibson	Rutta
Glass	Settle
Good	Shofner
Gray	Smith
Hanna	Spears
Hardin	Stanfield
Harris of Archer	Steward
Harris of Dallas	Stovall
Hartzog	Tarwater
Herzik	Tennyson
Hodges	Thornton
Hofheinz	Tillery
Holland	Venable
Hoskins	Waggoner
Howard	Walker
Huddleston	Wells
Hunter	Westfall
Hyder	Wood of Harrison
Jackson	Wood of Montague
James	Worley
Jefferson	Young
Jones of Atascosa	Youngblood

## Present—Not Voting

Roane

## Absent

Butler of Brazos	Hill
Caldwell	Hunt
Collins	Lange
Dunlap of Hays	Leath
Dunlap of Kleberg	Lotief
Dwyer	Luker
Fitzwater	McKee
Ford	Riddle
Frazer	Roach of Hunt
Graves	Rogers
Greathouse	Scarborough
Hankamer	Stinson
Head	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 833 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## HOUSE BILL NO. 109 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 109, A bill to be entitled "An Act amending Article 2270, Chapter 12 of Title 42 of the 1925 Revised Civil Statutes of Texas, relating to the giving of supersedeas bonds, and providing that in lieu thereof the court may permit deposits of money from time to time with the registry of the court, etc., and declaring an emergency."

The bill was read second time.

Mr. Stinson offered the following committee amendment to the bill:

Amend House Bill No. 109 by striking out all of Section 1 and inserting in lieu thereof the following:

Section 1. That Article 2270, Chapter 12 of Title 42 of the 1925 Revised Civil Statutes of Texas, be amended so as to read as follows:

"Article 2270. Supersedeas Bond. An appellant or plaintiff in error desiring to suspend the execution of the judgment may do so by giving a good and sufficient bond to be approved by the clerk, payable to appellee or defendant in error, in a sum at least double the amount of the judgment, interest and costs; conditioned that

such appellant or plaintiff in error shall prosecute his appeal or writ of error with effect; and in case the judgment of the Supreme Court or the Court of Civil Appeals shall be against him, he shall perform its judgment, sentence or decree, and pay all such damages as said court may award against him. Provided, however, that in lieu of such supersedeas bond, the court in which such cause is pending at the time may grant a supersedeas upon deposit in the registry of the trial court an amount to be fixed by the court which will be sufficient to discharge such judgment, interest and costs; such deposit to abide the final judgment on appeal in said cause in like manner as such supersedeas bond. And provided, further, that the court in which such cause is then pending may, from time to time, increase the amount of such deposit, in case it shall become insufficient to discharge such judgment."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 109 was then passed to engrossment.

#### HOUSE BILL NO. 109 ON THIRD READING

Mr. Stinson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 109 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117	
Adamson	Canon
Adkins	Celaya
Aikin	Clayton
Alexander	Collins
Alsup	Colquitt
Ash	Colson
Atchison	Cooper
Beck	Cowley
Bergman	Craddock
Bourne	Crossley
Bradbury	Daniel
Bradford	Davisson
Broyles	of Eastland
Burton	Dickison
Cagle	Dunagan
Caldwell	Dunlap of Hays
Calvert	Dunlap of Kleberg

Duvall	McKee
England	Moffett
Fain	Moore
Fisher	Morris
Fox	Morrison
Frazer	Morse
Glass	Newton
Good	Nicholson
Gray	Palmer
Hankamer	Patterson
Hanna	Payne
Hardin	Petsch
Harris of Archer	Quinn
Harris of Dallas	Reader
Hartzog	Reed of Bowie
Head	Reed of Dallas
Herzik	Roach of Hunt
Hodges	Roane
Hofheinz	Roberts
Holland	Rogers
Hoskins	Russell
Howard	Rutta
Huddleston	Settle
Hunter	Shofner
Hyder	Smith
Jackson	Spears
James	Stanfield
Jefferson	Steward
Jones of Falls	Stinson
Jones of Runnels	Stovall
Jones of Wise	Tarwater
Knetsch	Tennyson
Lanning	Thornton
Latham	Tillery
Lemens	Venable
Leonard	Walker
Lindsey	Wells
Lotief	Wood of Harrison
Lucas	Wood of Montague
Mauritz	Worley
McCalla	Young
McConnell	Youngblood

Nays—1

Hunt

Absent

Butler of Brazos	Keefe
Butler of Karnes	King
Davison of Fisher	Lange
Dwyer	Leath
Fitzwater	Luker
Ford	Padgett
Fuchs	Pope
Gibson	Riddle
Graves	Roach of Angelina
Greathouse	Roark
Hill	Scarborough
Jones of Atascosa	Waggoner
Jones of Shelby	Westfall

Absent—Excused

Davis	McKinney
Farmer	Olsen
McFarland	



The Chair then laid House Bill No. 109 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—126

Adamson	Hoskins
Adkins	Howard
Aikin	Huddleston
Alexander	Hunter
Alsup	Hyder
Ash	Jackson
Atchison	James
Beck	Jefferson
Bergman	Jones of Falls
Bourne	Jones of Runnels
Bradbury	Jones of Shelby
Bradford	Jones of Wise
Broyles	Keefe
Burton	King
Butler of Karnes	Knetsch
Cagle	Lanning
Calvert	Latham
Canon	Leath
Celaya	Lemens
Clayton	Leonard
Collins	Lindsey
Colquitt	Lotief
Colson	Lucas
Cooper	Mauritz
Cowley	McCalla
Craddock	McConnell
Crossley	McKee
Daniel	Moffett
Davison of Fisher	Moore
Davisson	Morris
of Eastland	Morrison
Dickison	Newton
Dunagan	Nicholson
Dunlap of Hays	Palmer
Dunlap of Kleberg	Patterson
Duvall	Payne
Dwyer	Petsch
England	Pope
Fain	Reader
Fisher	Reed of Bowie
Fox	Reed of Dallas
Frazer	Roach of Angelina
Fuchs	Roach of Hunt
Glass	Roane
Good	Roberts
Graves	Russell
Gray	Rutta
Greathouse	Settle
Hankamer	Shofner
Hanna	Smith
Hardin	Spears
Harris of Archer	Stanfield
Harris of Dallas	Steward
Hartzog	Stinson
Head	Stovall
Herzik	Tennyson
Hodges	Thornton
Hofheinz	Tillery
Holland	Venable

Waggoner	Wood of Montague
Walker	Worley
Wells	Young
Westfall	Youngblood
Wood of Harrison	

Nays—1

Hunt

Absent

Butler of Brazos	Morse
Caldwell	Padgett
Fitzwater	Quinn
Ford	Riddle
Gibson	Roark
Hill	Rogers
Jones of Atascosa	Scarborough
Lange	Tarwater
Luker	

Absent—Excused

Davis	McKinney
Farmer	Olsen
McFarland	

#### SENATE BILL NO. 56 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 56, A bill to be entitled "An Act to amend Article 117, Chapter 6, Revised Civil Statutes of 1925, so as to eliminate compulsory inspection of fruits other than citrus, and vegetables other than potatoes; providing for the adoption of the United States grades for certain fruits and vegetables, and the promulgation of additional grades; giving the Commissioner of Agriculture authority to enter into co-operative agreements with the United States Department of Agriculture, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 56 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 56 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Adamson	Alexander
Adkins	Alsup
Aikin	Ash

Atchison	Jones of Runnels
Beck	Jones of Shelby
Bergman	Jones of Wise
Bourne	Knetsch
Bradbury	Lanning
Bradford	Latham
Broyles	Leath
Burton	Lemens
Butler of Karnes	Leonard
Cagle	Lindsey
Canon	Lotief
Celaya	Lucas
Clayton	Mauritz
Collins	McCalla
Colquitt	McConnell
Colson	McKee
Cooper	Moffett
Cowley	Moore
Craddock	Morris
Crossley	Morrison
Daniel	Morse
Davisson	Newton
of Eastland	Nicholson
Dickison	Palmer
Dunagan	Patterson
Dunlap of Hays	Payne
Dunlap of Kleberg	Petsch
England	Pope
Fain	Quinn
Fisher	Reader
Fox	Reed of Bowie
Frazer	Reed of Dallas
Gibson	Roach of Angelina
Glass	Roach of Hunt
Good	Roberts
Gray	Rogers
Greathouse	Russell
Hanna	Rutta
Hardin	Settle
Harris of Archer	Shofner
Harris of Dallas	Smith
Hartzog	Stanfield
Head	Steward
Herzik	Stinson
Hodges	Stovall
Hofheinz	Tennyson
Hoskins	Thornton
Howard	Tillery
Huddleston	Waggoner
Hunt	Walker
Hunter	Wells
Hyder	Westfall
Jackson	Wood of Harrison
James	Wood of Montague
Jefferson	Worley
Jones of Atascosa	Young
Jones of Falls	Youngblood

## Absent

Butler of Brazos	Graves
Caldwell	Hankamer
Calvert	Hill
Dwyer	Holland
Fitzwater	Keefe
Ford	King
Fuchs	Lange

Luker	Scarborough
Padgett	Spears
Riddle	Tarwater
Roane	Venable
Roark	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid Senate Bill No. 56 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—120

Adamson	Head
Adkins	Herzik
Aikin	Hodges
Alexander	Hofheinz
Alsup	Holland
Ash	Hoskins
Atchison	Howard
Beck	Huddleston
Bergman	Hunt
Bourne	Hunter
Bradbury	Hyder
Bradford	Jackson
Broyles	James
Burton	Jefferson
Butler of Karnes	Jones of Atascosa
Cagle	Jones of Falls
Canon	Jones of Runnels
Celaya	Jones of Shelby
Clayton	Jones of Wise
Collins	Keefe
Colquitt	Knetsch
Colson	Lanning
Cooper	Latham
Cowley	Leath
Craddock	Lemens
Crossley	Leonard
Daniel	Lotief
Davisson	Lucas
of Eastland	Mauritz
Dickison	McCalla
Dunagan	McConnell
Dunlap of Hays	McKee
Dunlap of Kleberg	Moffett
England	Moore
Fain	Morris
Fisher	Morrison
Fox	Morse
Frazer	Newton
Gibson	Nicholson
Glass	Palmer
Good	Patterson
Gray	Payne
Greathouse	Petsch
Hanna	Pope
Hardin	Quinn
Harris of Archer	Reader
Harris of Dallas	Reed of Bowie
Hartzog	Reed of Dallas

Roach of Angelina	Stovall
Roach of Hunt	Tennyson
Roberts	Thornton
Rogers	Tillery
Russell	Waggoner
Rutta	Walker
Settle	Wells
Shofner	Westfall
Smith	Wood of Harrison
Spears	Wood of Montague
Stanfield	Worley
Steward	Young
Stinson	Youngblood

## Present—Not Voting

Lindsey	Roane
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## Absent

Butler of Brazos	Hill
Caldwell	King
Calvert	Lange
Davison of Fisher	Luker
Dwyer	Padgett
Fitzwater	Riddle
Ford	Roark
Fuchs	Scarborough
Graves	Tarwater
Hankamer	Venable

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

## HOUSE BILL NO. 49 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 49, A bill to be entitled "An Act to amend Article 2956, Revised Civil Statutes of 1925, as amended by the Regular Session of the Forty-second Legislature, and as amended by the Regular Session of the Forty-third Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 49 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Adamson	Aikin
Adkins	Alexander

Alsup	Jones of Runnels
Ash	Jones of Shelby
Atchison	Jones of Wise
Beck	Keefe
Bergman	Knetsch
Bourne	Lanning
Bradbury	Latham
Bradford	Leath
Broyles	Lemens
Burton	Leonard
Butler of Karnes	Lindsey
Caldwell	Lotief
Calvert	Lucas
Canon	McCalla
Celaya	McConnell
Clayton	McKee
Collins	Moffett
Colson	Moore
Cooper	Morris
Cowley	Morrison
Craddock	Morse
Crossley	Newton
Daniel	Nicholson
Davison of Fisher	Padgett
Davison of Eastland	Palmer
Dickison	Patterson
Dunagan	Payne
Dunlap of Kleberg	Petsch
Duvall	Quinn
England	Reader
Fain	Reed of Bowie
Fisher	Reed of Dallas
Fox	Roach of Angelina
Frazer	Roach of Hunt
Gibson	Roane
Glass	Roberts
Good	Russell
Graves	Rutta
Gray	Settle
Hanna	Shofner
Hardin	Smith
Harris of Archer	Spears
Harris of Dallas	Stanfield
Hartzog	Steward
Head	Tarwater
Herzik	Tennyson
Hodges	Thornton
Hofheinz	Tillery
Holland	Venable
Hoskins	Waggoner
Howard	Walker
Huddleston	Wells
Hunt	Westfall
Hyder	Wood of Harrison
Jackson	Wood of Montague
James	Worley
Jones of Atascosa	Young
Jones of Falls	Youngblood

Nays—1

Greathouse

Absent

Butler of Brazos	Dunlap of Hays
Cagle	Dwyer
Colquitt	Fitzwater

Ford	Mauritz
Fuchs	Pope
Hankamer	Riddle
Hill	Roark
Hunter	Rogers
Jefferson	Scarborough
King	Stinson
Lange	Stovall
Luker	

Absent—Excused

Davis	McKinney
Farmer	Olsen
McFarland	

The Chair then laid House Bill No. 49 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Adamson	Gray
Adkins	Hankamer
Aikin	Hanna
Alexander	Hardin
Alsup	Harris of Archer
Ash	Harris of Dallas
Atchison	Hartzog
Beck	Herzik
Bergman	Hodges
Bourne	Hofheinz
Bradbury	Holland
Bradford	Hoskins
Broyles	Howard
Burton	Huddleston
Butler of Karnes	Hunt
Cagle	Hyder
Caldwell	Jackson
Calvert	James
Canon	Jones of Atascosa
Celaya	Jones of Falls
Clayton	Jones of Runnels
Collins	Jones of Shelby
Colquitt	Jones of Wise
Colson	Keefe
Cooper	Lanning
Cowley	Latham
Cragdock	Leath
Crossley	Lemens
Daniel	Leonard
Davison of Fisher	Lotief
Davisson	Lucas
of Eastland	Mauritz
Dickison	McCalla
Dunagan	McConnell
Dunlap of Hays	McKee
England	Moffett
Fain	Moore
Fisher	Morris
Fox	Morrison
Frazer	Morse
Gibson	Newton
Glass	Nicholson
Good	Padgett
Graves	Palmer

Patterson	Steward
Payne	Stinson
Petsch	Stovall
Quinn	Tennyson
Reader	Thornton
Reed of Bowie	Tillery
Reed of Dallas	Venable
Roach of Hunt	Waggoner
Roane	Walker
Roberts	Wells
Russell	Westfall
Rutta	Wood of Harrison
Settle	Wood of Montague
Shofner	Worley
Smith	Young
Spears	Youngblood
Stanfield	

Nays—1

Greathouse

Absent

Butler of Brazos	Knetsch
Dunlap of Kleberg	Lange
Dwyer	Lindsey
Fitzwater	Luker
Ford	Pope
Fuchs	Riddle
Head	Roach of Angelina
Hill	Roark
Hunter	Rogers
Jefferson	Scarborough
King	Tarwater

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

### HOUSE BILL NO. 857 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 857, A bill to be entitled "An Act amending Article 4, Revised Civil Statutes of Texas of 1925, as amended by Acts of 1927, Fortieth Legislature, page 276, Chapter 194, as further amended by Acts of 1932, Forty-second Legislature, Third Called Session, page 96, Chapter 32, and as further amended by Acts of 1933, Forty-third Legislature, page 320, Chapter 122, and declaring an emergency."

The bill was read second time.

Mr. McKee offered the following amendment to the bill:

Amend House Bill No. 857 by adding a new paragraph at the end of Section 1 which shall hereafter read as follows:

"Providing that all cities and towns, including home rule cities, taking advantage of the provisions of and operating under this title, shall be subject to all the restrictions of Chapter 163, of the Acts of the Forty-second Legislature, and nothing in this Act shall be construed as repealing any of the provisions of House Bill No. 312, passed by the Regular Session of the Forty-second Legislature."

McKEE,  
KNETSCH.

The amendment was adopted.

Mr. Lotief offered the following amendment to the bill:

Amend House Bill No. 857 by adding a new section to read as follows:

"Provided no governing body of any city or town shall have power to sell and/or offer for sale any utility or utilities without first submitting the question to the qualified voters of said city or town and receiving their consent by majority votes."

On motion of Mr. Keefe, the amendment was tabled.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 857 was then passed to engrossment.

#### HOUSE BILL NO. 857 ON THIRD READING

Mr. Keefe moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 857 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adkins	Celaya
Aikin	Clayton
Alexander	Collins
Alsup	Colquitt
Ash	Colson
Atchison	Cooper
Beck	Cowley
Bergman	Daniel
Bourne	Davison of Fisher
Bradbury	Davisson
Bradford	of Eastland
Broyles	Dickison
Burton	Dunagan
Butler of Karnes	Dunlap of Hays
Cagle	Dwyer
Canon	England

Fain	Moffett
Fisher	Moore
Fox	Morris
Fuchs	Morrison
Gibson	Morse
Glass	Newton
Good	Nicholson
Gray	Padgett
Hankamer	Palmer
Hanna	Payne
Hardin	Petsch
Harris of Archer	Quinn
Harris of Dallas	Reader
Head	Reed of Bowie
Hodges	Reed of Dallas
Hofheinz	Roach of Hunt
Hoskins	Roane
Howard	Roberts
Huddleston	Russell
Hunt	Rutta
Hunter	Settle
Hyder	Shofner
Jackson	Smith
James	Spears
Jones of Falls	Stanfield
Jones of Runnels	Steward
Jones of Shelby	Stinson
Jones of Wise	Stovall
Keefe	Tarwater
King	Tennyson
Knetsch	Thornton
Lange	Tillery
Lanning	Venable
Latham	Waggoner
Lemens	Walker
Leonard	Wells
Lotief	Westfall
Lucas	Wood of Harrison
Mauritz	Wood of Montague
McCalla	Worley
McConnell	Young
McKee	Youngblood

Present—Not Voting

Lindsey

Absent

Adamson	Hill
Butler of Brazos	Holland
Caldwell	Jefferson
Calvert	Jones of Atascosa
Craddock	Leath
Crossley	Luker
Dunlap of Kleberg	Patterson
Fitzwater	Pope
Ford	Riddle
Frazer	Roach of Angelina
Graves	Roark
Greathouse	Rogers
Hartzog	Scarborough
Herzik	

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 857 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—116

Adkins	Jones of Runnels
Aikin	Jones of Shelby
Alexander	Jones of Wise
Alsup	Keefe
Ash	King
Atchison	Lange
Beck	Lanning
Bergman	Latham
Bourne	Leonard
Bradbury	Lindsey
Bradford	Lotief
Broyles	Lucas
Burton	Mauritz
Butler of Karnes	McCalla
Cagle	McConnell
Canon	McKee
Celaya	Moffett
Clayton	Moore
Collins	Morris
Colquitt	Morrison
Colson	Morse
Cooper	Newton
Cowley	Nicholson
Craddock	Padgett
Daniel	Palmer
Davison of Fisher	Patterson
Davison	Payne
of Eastland	Petsch
Dickison	Quinn
Dunagan	Reader
Dunlap of Hays	Reed of Bowie
England	Reed of Dallas
Fain	Roach of Angelina
Fisher	Roach of Hunt
Fox	Roberts
Fuchs	Russell
Gibson	Rutta
Glass	Settle
Good	Shofner
Gray	Smith
Greathouse	Spears
Hankamer	Stanfield
Hanna	Steward
Hardin	Stinson
Harris of Dallas	Stovall
Hartzog	Tarwater
Hodges	Tennyson
Hofheinz	Thornton
Holland	Tillery
Hoskins	Venable
Howard	Waggoner
Huddleston	Walker
Hunt	Wells
Hunter	Wood of Harrison
Hyder	Wood of Montague
Jackson	Worley
James	Young
Jones of Atascosa	Youngblood
Jones of Falls	

## Absent

Adamson	Hill
Butler of Brazos	Jefferson
Caldwell	Knetsch
Calvert	Leath
Crossley	Lemens
Dunlap of Kleberg	Luker
Dwyer	Pope
Fitzwater	Riddle
Ford	Roane
Frazer	Roark
Graves	Rogers
Harris of Archer	Scarborough
Head	Westfall
Herzik	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

## HOUSE BILL NO. 303 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 303, A bill to be entitled "An Act making it unlawful to shoot at or kill any squirrel, dove, or quail in Rains County, Texas; providing a penalty, and declaring an emergency."

The bill was read second time.

Mr. Roach of Hunt offered the following amendment to the bill:

Amend House Bill No. 303 by striking out everything below the enacting clause, and substituting in lieu thereof the following:

"Section 1. That for two years from and after the passage of this Act, it shall be unlawful for any person to shoot at or kill any dove, or quail, in Rains and Hunt Counties, Texas.

"Sec. 2. That whosoever shall violate the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars (\$10) nor more than two hundred dollars (\$200); provided each dove or quail so killed shall constitute a separate offense.

"Sec. 3. The fact that the dove and quail have almost been exterminated in Rains and Hunt Counties, mentioned herein, creates an emergency and an imperative public necessity that the constitutional rule, requiring all bills to be read on three several days in each house, be suspended, and said rule is hereby suspended, and this Act shall take effect and

be in force from and after its passage, and it is so enacted."

ROACH of Hunt,  
MORRIS.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 303 was then passed to engrossment.

### HOUSE BILL NO. 303 ON THIRD READING

Mr. Roach of Hunt moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 303 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Adamson	Good
Adkins	Gray
Aikin	Greathouse
Alexander	Hankamer
Alsup	Hanna
Ash	Hardin
Atchison	Harris of Archer
Beck	Harris of Dallas
Bergman	Head
Bourne	Herzik
Bradbury	Hodges
Bradford	Hofheinz
Broyles	Hoskins
Burton	Howard
Butler of Karnes	Huddleston
Cagle	Hunt
Caldwell	Hunter
Canon	Hyder
Celaya	James
Clayton	Jefferson
Colquitt	Jones of Falls
Colson	Jones of Runnels
Cooper	Jones of Shelby
Cowley	Jones of Wise
Craddock	Keefe
Daniel	King
Davisson	Knetsch
of Eastland	Lanning
Dickison	Latham
Dunagan	Lemens
Dunlap of Hays	Leonard
Dwyer	Lindsey
England	Lotief
Fain	Lucas
Fisher	Mauritz
Fitzwater	McCalla
Fox	McConnell
Frazer	McKee
Gibson	Moffett
Glass	Moore

Morrison	Smith
Morse	Spears
Newton	Stanfield
Nicholson	Stinson
Palmer	Stovall
Payne	Tarwater
Petsch	Tennyson
Pope	Thornton
Quinn	Tillery
Reader	Venable
Reed of Bowie	Waggoner
Reed of Dallas	Walker
Roach of Hunt	Wells
Roane	Westfall
Roberts	Wood of Harrison
Rogers	Wood of Montague
Russell	Worley
Rutta	Young
Settle	Youngblood
Shofner	

#### Absent

Butler of Brazos	Jones of Atascosa
Calvert	Lange
Collins	Leath
Crossley	Luker
Davison of Fisher	Morris
Dunlap of Kleberg	Padgett
Ford	Patterson
Fuchs	Riddle
Graves	Roach of Angelina
Hartzog	Roark
Hill	Scarborough
Holland	Steward
Jackson	

#### Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 303 before the House on its third reading and final passage.

The bill was read third time, and was passed.

### HOUSE BILL NO. 139 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 139, A bill to be entitled "An Act amending Article 1021, Texas Code of Criminal Procedure of 1925, as amended by Acts, 1927, Fortieth Legislature, Chapter 236, Section 1, relating to salaries and per diem of district attorneys in all judicial districts composed of two or more counties, and providing that such district attorneys shall receive pay for each day of service in the necessary discharge of their official duties, and for each day they represent the State in specified capacities, etc., and declaring an emergency."

The bill was read second time.

Mr. Clayton offered the following amendment to the bill:

Amend House Bill No. 139 by adding after the words "in any one year", page 2, line 6, the following: "except that the maximum number of days for which compensation is allowed the district attorney in districts composed of two or more counties and containing within the limits of such districts an incorporated city of one hundred thousand (100,000) inhabitants or more, according to the last preceding Federal Census, shall not exceed two hundred and fifty (250) days in any one year."

CLAYTON,  
HANKAMER,  
JACKSON.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 139 was then passed to engrossment.

#### HOUSE BILL NO. 139 ON THIRD READING

Mr. Fisher moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 139 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Adamson	Daniel
Adkins	Davison of Fisher
Aikin	Davison
Alexander	of Eastland
Alsup	Dickison
Ash	Dunagan
Atchison	Dunlap of Hays
Beck	England
Bergman	Fain
Bourne	Fisher
Bradbury	Fox
Bradford	Frazer
Broyles	Gibson
Burton	Glass
Butler of Karnes	Good
Cagle	Gray
Canon	Greathouse
Clayton	Hanna
Collins	Hardin
Colquitt	Harris of Archer
Colson	Harris of Dallas
Cooper	Head
Cowley	Herzik
Craddock	Hodges
Crossley	Hofheinz

Hoskins	Patterson
Howard	Payne
Huddleston	Petsch
Hunt	Pope
Hunter	Quinn
Hyder	Reed of Bowie
Jackson	Reed of Dallas
James	Roach of Angelina
Jefferson	Roach of Hunt
Jones of Falls	Roberts
Jones of Runnels	Rogers
Jones of Shelby	Russell
Jones of Wise	Rutta
Knetsch	Settle
Lanning	Shofner
Latham	Smith
Lemens	Spears
Leonard	Stanfield
Lindsey	Steward
Lotief	Stinson
Lucas	Stovall
Mauritz	Tennyson
McCalla	Thornton
McConnell	Tillery
McKee	Venable
Moffett	Waggoner
Moore	Walker
Morris	Wells
Morrison	Westfall
Morse	Wood of Harrison
Newton	Wood of Montague
Nicholson	Worley
Padgett	Young
Palmer	Youngblood

#### Absent

Butler of Brazos	Holland
Caldwell	Jones of Atascosa
Calvert	Keefe
Celaya	King
Dunlap of Kleberg	Lange
Dwyer	Leath
Fitzwater	Luker
Ford	Reader
Fuchs	Riddle
Graves	Roane
Hankamer	Roark
Hartzog	Scarborough
Hill	Tarwater

#### Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 139 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Adamson	Alsup
Adkins	Ash
Aikin	Atchison
Alexander	Beck



Bergman	Jones of Falls
Bourne	Jones of Runnels
Bradbury	Jones of Shelby
Bradford	Jones of Wise
Broyles	Knetsch
Burton	Lanning
Butler of Karnes	Latham
Cagle	Lemens
Canon	Leonard
Celaya	Lindsey
Clayton	Lotief
Collins	Lucas
Colquitt	Mauritz
Colson	McCalla
Cooper	McConnell
Cowley	McKee
Craddock	Moffett
Crossley	Moore
Daniel	Morris
Davison of Fisher	Morrison
Davison	Morse
of Eastland	Newton
Dickison	Nicholson
Dunagan	Padgett
Dunlap of Hays	Palmer
England	Patterson
Fain	Payne
Fisher	Petsch
Fox	Pope
Frazer	Quinn
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Glass	Roach of Angelina
Good	Roach of Hunt
Gray	Roberts
Greathouse	Rogers
Hankamer	Russell
Hanna	Rutta
Hardin	Settle
Harris of Archer	Shofner
Harris of Dallas	Smith
Head	Spears
Herzik	Stanfield
Hodges	Stinson
Hofheinz	Stovall
Holland	Tennyson
Hoskins	Thornton
Howard	Tillery
Huddleston	Waggoner
Hunt	Walker
Hunter	Wells
Hyder	Westfall
Jackson	Wood of Harrison
James	Wood of Montague
Jefferson	Worley
Jones of Atascosa	Youngblood
Absent	
Butler of Brazos	Hill
Caldwell	Keefe
Calvert	King
Dunlap of Kleberg	Lange
Dwyer	Leath
Fitzwater	Luker
Ford	Reader
Graves	Riddle
Hartzog	Roane

Roark	Tarwater
Scarborough	Venable
Steward	Young

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

#### HOUSE BILL NO. 291 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 291, A bill to be entitled "An Act fixing the salaries to be paid to county commissioners in counties having a population of not less than 13,540 inhabitants and not more than 13,570 inhabitants, according to the last preceding Federal Census, and declaring an emergency."

The bill was read second time.

Mr. Davison of Fisher offered the following amendment to the bill:

Amend House Bill No. 291 by inserting in Section 1 after the word "inhabitants" the following, reading, "and not less than 14,178 inhabitants and not more than 14,190 inhabitants; and not less than 19,318 inhabitants and not more than 19,329 inhabitants".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 291 was then passed to engrossment.

#### HOUSE BILL NO. 291 ON THIRD READING

Mr. Davison of Fisher moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 291 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Adamson	Bradford
Adkins	Broyles
Aikin	Burton
Alexander	Butler of Karnes
Alsup	Cagle
Ash	Caldwell
Atchison	Canon
Beck	Celaya
Bergman	Clayton
Bourne	Collins
Bradbury	Colquitt

Colson	Latham
Cooper	Lemens
Cowley	Leonard
Craddock	Lindsey
Crossley	Lotief
Daniel	Lucas
Davison of Fisher	Mauritz
Davisson	McCalla
of Eastland	McKee
Dickison	Moffett
Dunlap of Hays	Moore
Dwyer	Morris
England	Morrison
Fain	Morse
Fisher	Newton
Fox	Nicholson
Frazer	Padgett
Fuchs	Palmer
Gibson	Patterson
Glass	Payne
Good	Petsch
Graves	Pope
Gray	Reader
Greathouse	Reed of Dallas
Hankamer	Roach of Angelina
Hanna	Roach of Hunt
Hardin	Roberts
Harris of Archer	Russell
Harris of Dallas	Rutta
Head	Settle
Herzik	Shofner
Hodges	Smith
Hofheinz	Spears
Hoskins	Stanfield
Howard	Steward
Huddleston	Stinson
Hunter	Stovall
Hyder	Tennyson
Jackson	Thornton
James	Tillery
Jefferson	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Wells
Jones of Runnels	Wood of Harrison
Jones of Wise	Wood of Montague
Keefe	Worley
Knetsch	Young
Lanning	Youngblood

## Nays—2

Dunagan	Hunt
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## Present—Not Voting

McConnell	Reed of Bowie
Quinn	Roane

## Absent

Butler of Brazos	Lange
Calvert	Leath
Dunlap of Kleberg	Luker
Fitzwater	Riddle
Ford	Roark
Hartzog	Rogers
Hill	Scarborough
Holland	Tarwater
Jones of Shelby	Venable
King	Westfall

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 291 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—119

Adamson	Hodges
Adkins	Hofheinz
Aikin	Hoskins
Alexander	Howard
Alsup	Huddleston
Ash	Hunt
Atchison	Hunter
Beck	Hyder
Bergman	Jackson
Bourne	James
Bradbury	Jefferson
Bradford	Jones of Atascosa
Broyles	Jones of Falls
Burton	Jones of Runnels
Butler of Karnes	Jones of Wise
Cagle	Knetsch
Caldwell	Lanning
Canon	Latham
Clayton	Lemens
Collins	Leonard
Colquitt	Lotief
Colson	Lucas
Cooper	Mauritz
Cowley	McCalla
Craddock	McKee
Crossley	Moffett
Daniel	Moore
Davison of Fisher	Morris
Davisson	Morrison
of Eastland	Morse
Dickison	Newton
Dunagan	Nicholson
Dunlap of Hays	Padgett
Dwyer	Palmer
England	Patterson
Fain	Payne
Fisher	Petsch
Fox	Reader
Frazer	Reed of Dallas
Fuchs	Roach of Angelina
Gibson	Roach of Hunt
Glass	Roberts
Good	Rogers
Graves	Russell
Gray	Rutta
Greathouse	Settle
Hankamer	Shofner
Hanna	Smith
Hardin	Spears
Harris of Archer	Stanfield
Harris of Dallas	Steward
Head	Stinson
Herzik	Stovall

Tarwater	Wells
Tennyson	Westfall
Thornton	Wood of Harrison
Tillery	Wood of Montague
Venable	Worley
Waggoner	Young
Walker	Youngblood

## Present—Not Voting

Lindsey	Reed of Bowie
McConnell	Roane
Quinn	

## Absent

Butler of Brazos	Keefe
Calvert	King
Celaya	Lange
Dunlap of Kleberg	Leath
Fitzwater	Luker
Ford	Pope
Hartzog	Riddle
Hill	Roark
Holland	Scarborough
Jones of Shelby	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

HOUSE BILL NO. 394 ON SECOND  
READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 394, A bill to be entitled "An Act amending Section 1 of Senate Bill No. 532, Chapter 187, General Laws of the Forty-third Legislature, 1933, First Called Session, authorizing the Texas State Parks Board to acquire State park sites by purchase, gift, or otherwise, and to improve, beautify, and equip and to contract with any person, firm, or corporation for the improvement, beautification, or equipment of the State Parks of the State to such an extent as the said board might deem advisable, and extending the authority of such board to purchase such sites for a period of two years from the effective date of this Act, and declaring an emergency."

The bill was read second time.

Mr. Payne offered the following amendments to the bill:

Amend House Bill No. 394, lines 8 and 9, by striking out the words "First Called" and inserting in lieu thereof the word "Regular."

Amend House Bill No. 394, lines 20 and 21, by striking out the words "First Called" and inserting in lieu thereof the word "Regular."

Amend House Bill No. 394 by adding between Section 1 and 2 the following:

"Section 2. In payment for such sites and of the improvement, beautification and equipment of such parks and/or other improvements, or for the purpose of borrowing money from the Reconstruction Finance Corporation, or any other U. S. Federal agency, or from any other person, firm or corporation, the Texas State Parks Board is further authorized and empowered to issue its evidences of indebtedness for such sum or sums of money and upon such conditions as may to said Board be deemed advisable, bearing interest at a rate not to exceed six per cent (6%) per annum, and as security for the payment thereof, said Board may pledge its rents, revenues and incomes from such improvements and/or any fees, rents or revenues from any source other than appropriations made by the State Legislature, and in furtherance thereof may have full authority to make concession contracts of any kind or character which in the judgment of said Board might be desirable.

"Sec. 3. Projects financed in accordance with this law are hereby declared to be self-liquidating in character supported by charges other than by taxation.

"Sec. 4. Nothing herein shall be construed as creating a debt or binding the State of Texas in any way except as to the pledge of the revenues as hereinbefore set forth."

And by renumbering Section 2 and Section 5 and amending the caption to conform.

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 394 was then passed to engrossment.

HOUSE BILL NO. 394 ON THIRD  
READING

Mr. Payne moved that the constitutional rule, requiring bills to be read

on three several days, be suspended, and that House Bill No. 394 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—107

Adkins	Jones of Atascosa
Aikin	Jones of Falls
Alsup	Jones of Runnels
Ash	Jones of Shelby
Atchison	Jones of Wise
Beck	Keefe
Bergman	King
Bourne	Lanning
Broyles	Latham
Butler of Karnes	Leath
Calvert	Lemens
Canon	Leonard
Celaya	Lotief
Clayton	Lucas
Collins	McCalla
Colquitt	McConnell
Colson	McKee
Cooper	Moffett
Cowley	Moore
Craddock	Morris
Crossley	Morrison
Daniel	Morse
Davison of Fisher	Newton
Davisson	Nicholson
of Eastland	Palmer
Dickison	Patterson
Dunagan	Payne
Dunlap of Hays	Petsch
England	Quinn
Fain	Reader
Fisher	Reed of Dallas
Fox	Roach of Angelina
Frazer	Roane
Fuchs	Roberts
Gibson	Russell
Glass	Rutta
Graves	Settle
Gray	Smith
Hankamer	Spears
Hanna	Stanfield
Harris of Dallas	Steward
Hartzog	Stinson
Head	Stovall
Herzik	Tarwater
Hodges	Thornton
Hofheinz	Tillery
Holland	Walker
Howard	Wells
Huddleston	Westfall
Hunt	Wood of Harrison
Hunter	Wood of Montague
Hyder	Worley
Jackson	Young
Jefferson	Youngblood

## Nays—17

Alexander	Cagle
Bradbury	Good
Burton	Greathouse

Hardin	Pope
Harris of Archer	Reed of Bowie
James	Roach of Hunt
Knetsch	Venable
Lindsey	Waggoner
Mauritz	

## Present—Not Voting

Shofner	Tennyson
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## Absent

Adamson	Hoskins
Bradford	Lange
Butler of Brazos	Luker
Caldwell	Padgett
Dunlap of Kleberg	Riddle
Dwyer	Roark
Fitzwater	Rogers
Ford	Scarborough
Hill	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 394 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—107

Adkins	Fain
Aikin	Fisher
Alexander	Fox
Alsup	Frazer
Ash	Gibson
Atchison	Glass
Beck	Gray
Bergman	Greathouse
Bourne	Hanna
Bradford	Harris of Dallas
Broyles	Hartzog
Burton	Herzik
Butler of Karnes	Hodges
Cagle	Hofheinz
Caldwell	Hoskins
Calvert	Howard
Canon	Huddleston
Celaya	Hunt
Collins	Hunter
Colquitt	Jackson
Colson	James
Cooper	Jefferson
Cowley	Jones of Atascosa
Craddock	Jones of Falls
Daniel	Jones of Runnels
Davison of Fisher	Jones of Shelby
Davisson	Jones of Wise
of Eastland	King
Dickison	Knetsch
Dunagan	Lanning
Dunlap of Hays	Latham
England	Leath

Lemens	Roach of Hunt
Leonard	Roane
Lotief	Roberts
Lucas	Russell
McCalla	Settle
McKee	Shofner
Moffett	Smith
Moore	Spears
Morris	Stanfield
Morrison	Steward
Newton	Stinson
Nicholson	Tennyson
Padgett	Thornton
Palmer	Tillery
Patterson	Venable
Payne	Walker
Petsch	Wells
Pope	Wood of Harrison
Quinn	Wood of Montague
Reader	Worley
Reed of Dallas	Young
Roach of Angelina	Youngblood

## Nays—8

Bradbury	Lindsey
Good	Reed of Bowie
Hardin	Waggoner
Harris of Archer	Westfall

## Present—Not Voting

Rutta

## Absent

Adamson	Hyder
Butler of Brazos	Keefe
Clayton	Lange
Crossley	Luker
Dunlap of Kleberg	Mauritz
Dwyer	McConnell
Fitzwater	Morse
Ford	Riddle
Fuchs	Roark
Graves	Rogers
Hankamer	Scarborough
Head	Stovall
Hill	Tarwater
Holland	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

## HOUSE BILL NO. 641 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 641, A bill to be entitled "An Act to prohibit the taking of fish in Kimble, Kerr, Edwards, Real, Sutton, Bandera, Mason, Menard, Blanco, Llano, Kendall, or Gillespie Counties with any device equipped with more than two hooks, except ar-

tificial bait used with a rod and reel and excepting a twenty-foot minnow seine for the purpose of taking minnows for bait; providing size limits and bag limits for fish taken in said counties, etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 641 ON THIRD READING

Mr. Stevenson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 641 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—119

Mr. Speaker	Hanna
Adkins	Hardin
Aikin	Harris of Archer
Alexander	Harris of Dallas
Alsup	Head
Ash	Herzik
Atchison	Hodges
Beck	Hofheinz
Bergman	Hoskins
Bourne	Howard
Bradbury	Huddleston
Bradford	Hunt
Broyles	Hunter
Burton	Jackson
Butler of Karnes	James
Cagle	Jones of Atascosa
Calvert	Jones of Falls
Canon	Jones of Runnels
Celaya	Jones of Shelby
Clayton	Jones of Wise
Collins	Keefe
Colquitt	King
Colson	Knetsch
Cooper	Lanning
Cowley	Latham
Craddock	Leath
Daniel	Lemens
Davison of Fisher	Leonard
Dickison	Lindsey
Dunagan	Lotief
Dunlap of Hays	Lucas
England	Mauritz
Fain	McCalla
Fisher	McConnell
Fox	McKee
Frazer	Moffett
Fuchs	Moore
Gibson	Morris
Glass	Morrison
Good	Morse
Graves	Newton
Gray	Padgett
Hankamer	Palmer

Patterson	Steward
Payne	Stinson
Petsch	Tarwater
Quinn	Tennyson
Reader	Thornton
Reed of Bowie	Tillery
Reed of Dallas	Venable
Roach of Angelina	Waggoner
Roach of Hunt	Walker
Roberts	Wells
Russell	Westfall
Rutta	Wood of Harrison
Settle	Wood of Montague
Shofner	Worley
Smith	Young
Spears	Youngblood
Stanfield	

## Absent

Adamson	Holland
Butler of Brazos	Jefferson
Caldwell	Lange
Crossley	Luker
Davisson	Nicholson
of Eastland	Pope
Dunlap of Kleberg	Riddle
Dwyer	Roane
Fitzwater	Roark
Ford	Rogers
Greathouse	Scarborough
Hartzog	Stovall
Hill	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen
Hyder	

The Chair then laid House Bill No. 641 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—126

Mr. Speaker	Collins
Adkins	Colquitt
Aikin	Colson
Alexander	Cooper
Alsup	Cowley
Ash	Craddock
Atchison	Crossley
Beck	Daniel
Bergman	Davison of Fisher
Bourne	Dickison
Bradbury	Dunagan
Bradford	Dunlap of Hays
Broyles	Dunlap of Kleberg
Burton	England
Butler of Karnes	Fain
Cagle	Fisher
Calvert	Ford
Canon	Fox
Celaya	Frazer
Clayton	Fuchs

Gibson	Moore
Glass	Morris
Good	Morrison
Graves	Morse
Gray	Newton
Greathouse	Nicholson
Hankamer	Padgett
Hanna	Palmer
Hardin	Patterson
Harris of Archer	Payne
Harris of Dallas	Petsch
Hartzog	Quinn
Head	Reader
Herzik	Reed of Bowie
Hodges	Reed of Dallas
Hofheinz	Roach of Angelina
Hoskins	Roach of Hunt
Howard	Roane
Huddleston	Roberts
Hunt	Rogers
Hunter	Russell
Hyder	Rutta
Jackson	Settle
James	Shofner
Jones of Atascosa	Smith
Jones of Falls	Spears
Jones of Runnels	Stanfield
Jones of Shelby	Steward
Jones of Wise	Stinson
Keefe	Stovall
Knetsch	Tennyson
Lanning	Thornton
Latham	Tillery
Leath	Venable
Lemens	Waggoner
Leonard	Walker
Lotief	Wells
Lucas	Westfall
Mauritz	Wood of Harrison
McCalla	Wood of Montague
McConnell	Worley
McKee	Young
Moffett	Youngblood

## Absent

Adamson	King
Butler of Brazos	Lange
Caldwell	Lindsey
Davisson	Luker
of Eastland	Pope
Dwyer	Riddle
Fitzwater	Roark
Hill	Scarborough
Holland	Tarwater
Jefferson	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

## HOUSE BILL NO. 982 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 982, A bill to be entitled "An Act making it unlawful to use seines or nets except those of certain dimensions of mesh for taking fish from waters in Bastrop County; providing dimensions of mesh of minnow seines; setting the time for use of such nets or seines; repealing all laws in conflict herewith; providing a penalty for violation thereof, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

### HOUSE BILL NO. 982 ON THIRD READING

Mr. Ash moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 982 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Mr. Speaker	Good
Adkins	Graves
Aikin	Gray
Alexander	Hankamer
Alsup	Hanna
Ash	Hardin
Atchison	Harris of Archer
Beck	Harris of Dallas
Bergman	Head
Bourne	Herzik
Bradbury	Hodges
Bradford	Hofheinz
Broyles	Hoskins
Burton	Howard
Butler of Karnes	Huddleston
Cagle	Hunt
Calvert	Hunter
Canon	Jackson
Celaya	James
Clayton	Jones of Atascosa
Collins	Jones of Falls
Colquitt	Jones of Runnels
Colson	Jones of Shelby
Cooper	Jones of Wise
Cowley	Keefe
Craddock	King
Daniel	Knetsch
Davison of Fisher	Lanning
Dickison	Latham
Dunagan	Leath
Dunlap of Hays	Lemens
England	Leonard
Fain	Lindsey
Fisher	Lotief
Fox	Lucas
Frazer	Mauritz
Fuchs	McCalla
Gibson	McConnell
Glass	McKee

Moffett	Shofner
Moore	Smith
Morris	Spears
Morrison	Stanfield
Morse	Steward
Newton	Stinson
Padgett	Tarwater
Palmer	Tennyson
Patterson	Thornton
Payne	Tillery
Petsch	Venable
Quinn	Waggoner
Reader	Walker
Reed of Bowie	Wells
Reed of Dallas	Westfall
Roach of Angelina	Wood of Harrison
Roach of Hunt	Wood of Montague
Roberts	Worley
Russell	Young
Rutta	Youngblood
Settle	

### Absent

Adamson	Holland
Butler of Brazos	Jefferson
Caldwell	Lange
Crossley	Luker
Davison	Nicholson
of Eastland	Pope
Dunlap of Kleberg	Riddle
Dwyer	Roane
Fitzwater	Roark
Ford	Rogers
Greathouse	Scarborough
Hartzog	Stovall
Hill	

### Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen
Hyder	

The Chair then laid House Bill No. 982 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—126

Mr. Speaker	Calvert
Adkins	Canon
Aikin	Celaya
Alexander	Clayton
Alsup	Collins
Ash	Colquitt
Atchison	Colson
Beck	Cooper
Bergman	Cowley
Bourne	Craddock
Bradbury	Crossley
Bradford	Daniel
Broyles	Davison of Fisher
Burton	Dickison
Butler of Karnes	Dunagan
Cagle	Dunlap of Hays

Dunlap of Kleberg	McCalla
England	McConnell
Fain	McKee
Fisher	Moffett
Ford	Moore
Fox	Morris
Frazer	Morrison
Fuchs	Morse
Gibson	Newton
Glass	Nicholson
Good	Padgett
Graves	Palmer
Gray	Patterson
Greathouse	Payne
Hankamer	Petsch
Hanna	Quinn
Hardin	Reader
Harris of Archer	Reed of Bowie
Harris of Dallas	Reed of Dallas
Hartzog	Roach of Angelina
Head	Roach of Hunt
Herzik	Roane
Hodges	Roberts
Hofheinz	Rogers
Hoskins	Russell
Howard	Rutta
Huddleston	Settle
Hunt	Shofner
Hunter	Smith
Hyder	Spears
Jackson	Stanfield
James	Steward
Jones of Atascosa	Stinson
Jones of Falls	Stovall
Jones of Runnels	Tennyson
Jones of Shelby	Thornton
Jones of Wise	Tillery
Keefe	Venable
Knetsch	Waggoner
Lanning	Walker
Latham	Wells
Leath	Westfall
Lemens	Wood of Harrison
Leonard	Wood of Montague
Lotief	Worley
Lucas	Young
Mauritz	Youngblood

## Absent

Adamson	King
Butler of Brazos	Lange
Caldwell	Lindsey
Davisson	Luker
of Eastland	Pope
Dwyer	Riddle
Fitzwater	Roark
Hill	Scarborough
Holland	Tarwater
Jefferson	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

## HOUSE BILL NO. 983 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 983, A bill to be entitled "An Act making it unlawful to transport minnows of any and all species outside of the counties wherein such minnows are caught, seined or taken; provided that this Act shall only apply to persons, firms or corporations transporting minnows caught, seined or taken from the waters of the Counties of McCulloch, San Saba, Gillespie, Llano, Kendall, Blanco, Lampasas, and Mason; etc., and declaring an emergency."

The bill was read second time.

Mr. Adkins offered the following amendment to the bill:

Amend House Bill No. 983, Section 3, by striking out the following words in said section, to wit: "taken from the waters of any of the counties named in Section 2 of this Act and caught in transit".

ADKINS,  
PETSCH.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 983 was then passed to engrossment.

## HOUSE BILL NO. 983 ON THIRD READING

Mr. Adkins moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 983 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Mr. Speaker	Burton
Adkins	Butler of Karnes
Aikin	Cagle
Alexander	Calvert
Alsop	Canon
Ash	Celaya
Atchison	Clayton
Beck	Collins
Bergman	Colquitt
Bourne	Colson
Bradbury	Cooper
Bradford	Cowley
Broyles	Craddock



Daniel	Lucas
Davison of Fisher	Mauritz
Dickison	McCalla
Dunagan	McConnell
Dunlap of Hays	McKee
England	Moffett
Fain	Moore
Fisher	Morris
Fox	Morrison
Frazer	Morse
Fuchs	Newton
Gibson	Padgett
Glass	Palmer
Good	Patterson
Graves	Payne
Gray	Petsch
Hankamer	Quinn
Hanna	Reader
Hardin	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dallas	Roach of Angelina
Head	Roach of Hunt
Herzik	Roberts
Hodges	Russell
Hofheinz	Rutta
Hoskins	Settle
Howard	Shofner
Huddleston	Smith
Hunt	Spears
Hunter	Stanfield
Jackson	Steward
James	Stinson
Jones of Atascosa	Tarwater
Jones of Falls	Tennyson
Jones of Runnels	Thornton
Jones of Shelby	Tillery
Jones of Wise	Venable
Keefe	Waggoner
King	Walker
Knetsch	Wells
Lanning	Westfall
Latham	Wood of Harrison
Leath	Wood of Montague
Lemens	Worley
Leonard	Young
Lindsey	Youngblood
Lotief	

## Absent

Adamson	Holland
Butler of Brazos	Jefferson
Caldwell	Lange
Crossley	Luker
Davisson	Nicholson
of Eastland	Pope
Dunlap of Kleberg	Riddle
Dwyer	Roane
Fitzwater	Roark
Ford	Rogers
Greathouse	Scarborough
Hartzog	Stovall
Hill	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen
Hyder	

The Chair then laid House Bill No. 983 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—126

Mr. Speaker	Hunt
Adkins	Hunter
Aikin	Hyder
Alexander	Jackson
Alsup	James
Ash	Jones of Atascosa
Atchison	Jones of Falls
Beck	Jones of Runnels
Bergman	Jones of Shelby
Bourne	Jones of Wise
Bradbury	Keefe
Bradford	Knetsch
Broyles	Lanning
Burton	Latham
Butler of Karnes	Leath
Cagle	Lemens
Calvert	Leonard
Canon	Lotief
Celaya	Lucas
Clayton	Mauritz
Collins	McCalla
Colquitt	McConnell
Colson	McKee
Cooper	Moffett
Cowley	Moore
Craddock	Morris
Crossley	Morrison
Daniel	Morse
Davison of Fisher	Newton
Dickison	Nicholson
Dunagan	Padgett
Dunlap of Hays	Palmer
Dunlap of Kleberg	Patterson
England	Payne
Fain	Petsch
Fisher	Quinn
Ford	Reader
Fox	Reed of Bowie
Frazer	Reed of Dallas
Fuchs	Roach of Angelina
Gibson	Roach of Hunt
Glass	Roane
Good	Roberts
Graves	Rogers
Gray	Russell
Greathouse	Rutta
Hankamer	Settle
Hanna	Shofner
Hardin	Smith
Harris of Archer	Spears
Harris of Dallas	Stanfield
Hartzog	Steward
Head	Stinson
Herzik	Stovall
Hodges	Tennyson
Hofheinz	Thornton
Hoskins	Tillery
Howard	Venable
Huddleston	Waggoner

Walker	Wood of Montague
Wells	Worley
Westfall	Young
Wood of Harrison	Youngblood

## Absent

Adamson	King
Butler of Brazos	Lange
Caldwell	Lindsey
Davisson	Luker
of Eastland	Pope
Dwyer	Riddle
Fitzwater	Roark
Hill	Scarborough
Holland	Tarwater
Jefferson	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

## HOUSE BILL NO. 691 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 691, A bill to be entitled "An Act to define and regulate 'auto caravans' using the highways of this State outside of the limits of incorporated cities, towns, or villages; placing the jurisdiction of the regulation of such auto caravans in the Railroad Commission of the State of Texas; making it unlawful to operate auto caravans without procuring a permit from the Railroad Commission for each of such caravans; requiring applications to be made by persons desiring to operate such auto caravans upon forms prescribed by the Railroad Commission of Texas; requiring that a remittance of five dollars (\$5.00) for each one hundred (100) miles or a fraction thereof each vehicle is to be moved shall accompany the application, to be deposited in the State Highway Fund if the permit is issued, but, provided, that said sum of money shall be returned if the permit is not granted, etc., and declaring an emergency."

The bill was read second time.

Mr. Clayton offered the following amendments to the bill:

Amend House Bill No. 691 by striking out all below the enacting clause, and substituting in lieu thereof the following:

"Section 1. That Section 2 of Chapter 56 of the First Called Session of the Forty-third Legislature be, and the same is hereby, amended so as to hereafter read as follows: A non-resident owner of a motor vehicle, trailer or semi-trailer which has been duly registered for the current year in the State or country of which the owner is a resident and in accordance with the laws thereof, may, in lieu of registering such vehicle as otherwise required by law, apply to the State Highway Department through a county tax collector for the registration thereof as provided by law, except that the privileges granted as otherwise provided for in this Act shall not apply to any motor vehicle, trailer, or semi-trailer operated within this State for the transportation of persons or property for compensation or hire. Provided, however, that motor vehicles properly licensed in another State or country, operated for compensation or hire, may be allowed to make not to exceed two trips during any calendar month and remain on each of said trips within the State not to exceed four days, without being registered in this State, in the event that under the laws of such other State or country like exceptions are granted to motor vehicles registered under the laws of and owned by residents of this State. Provided, however, none of the provisions of this section shall apply to or exempt the operator, owner or lessee of any motor vehicle being driven under its own power or towed or otherwise transported by being attached or coupled to some other vehicle from or through this State over the highways thereof, for the purpose of sale, resale or trade in another State, or after having been sold, resold or traded to any person, company, corporation or association in another State, but each such motor vehicle shall be registered for the Department through the county tax collector of the first county through which said motor vehicle passes after entering this State, or if moving from this State to another State, of the county from which said motor vehicle first moves, and a registration fee of \$3.00 for each such vehicle shall be paid to said tax collector unless such motor vehicle has been previously registered with the Department in law-

ful manner and license fees paid. The tax collector of the county where such registration is had shall furnish the operator of said motor vehicle with a receipt on a form prescribed by the Department and said operator shall retain said receipt in his possession and exhibit same to any member of the State Highway Patrol or other peace officer for inspection upon request. If said operator is unable to present said receipt to said member of the State Highway Patrol or other peace officer, he and the motor vehicle which he is operating shall be detained by such member of the State Highway Patrol or peace officer until proper registration is had and said receipt is issued by the tax collector of some county through which said motor vehicle is being or has been driven or towed or otherwise transported by being attached or coupled to some other vehicle from or through this State over the highways thereof.

"Any person or any officer, agent or employe of any corporation, company or association who violates any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum of not more than \$25.

"Sec. 2. All laws and parts of laws in conflict herewith be, and the same are hereby, repealed.

"Sec. 3. The fact that many hundreds of cars owned by non-residents of this State are being transported over the highways of this State for the purpose of selling, reselling or trading or for delivery after being sold, resold or traded in other States without the payment of any registration or license fees and that many cars are sold, resold, traded or moved for the purpose of selling, reselling or trading from this State to other States over the highways of this State without the payment of any registration or license fees, and the fact that the State of Texas is being deprived of many thousands of dollars of revenue to which it is entitled by reason of this use of its highways, creates an emergency and an imperative public necessity for the suspension of the constitutional rule, requiring bills to be read on three several days in each house, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Amend House Bill No. 691 by striking out all above the enacting clause

and substituting in lieu thereof the following:

"An Act amending Section 2 of Chapter 56 of the Acts of the First Called Session of the Forty-third Legislature, which provides for the registration and operation in this State of motor vehicles owned by non-residents, and registered under the laws of another State or country, by reenacting same and providing that the provisions of said section shall not apply to the motor vehicles being driven under its own power, towed or otherwise transported by being attached or coupled to some other vehicle from or through this State, for the purpose of sale, resale, or trade in another State or after having been sold, resold or traded to some person, company or corporation or association in another State, but requiring the registration of each such motor vehicle and the payment of a registration fee thereon, fixing such registration fee and providing for the plan and manner of payment thereof; providing punishment for violation hereof; repealing all laws in conflict herewith, and declaring an emergency."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 691 was then passed to engrossment.

### HOUSE BILL NO. 691 ON THIRD READING

Mr. Clayton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 691 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Aikin	Butler of Karnes
Alexander	Cagle
Ash	Calvert
Atchison	Canon
Beck	Celaya
Bergman	Clayton
Bourne	Collins
Bradbury	Colquitt
Bradford	Colson
Broyles	Cooper
Burton	Cowley

Craddock	Lotief
Daniel	Lucas
Davison of Fisher	Mauritz
Dickison	McCalla
Dunagan	McConnell
Dunlap of Hays	McKee
England	Moffett
Fain	Moore
Fisher	Morris
Fox	Morrison
Frazer	Morse
Fuchs	Newton
Gibson	Nicholson
Glass	Padgett
Good	Palmer
Gray	Patterson
Greathouse	Payne
Hankamer	Petsch
Hanna	Quinn
Hardin	Reader
Harris of Archer	Reed of Dallas
Harris of Dallas	Roach of Angelina
Hartzog	Roach of Hunt
Head	Roberts
Herzik	Rogers
Hodges	Russell
Hofheinz	Rutta
Holland	Settle
Hoskins	Shofner
Howard	Smith
Huddleston	Spears
Hunt	Stanfield
Hunter	Steward
Hyder	Stinson
Jackson	Stovall
James	Tennyson
Jones of Atascosa	Thornton
Jones of Falls	Tillery
Jones of Runnels	Venable
Jones of Shelby	Waggoner
Jones of Wise	Walker
Keefe	Wells
King	Westfall
Lanning	Wood of Harrison
Latham	Wood of Montague
Leath	Worley
Lemens	Young
Leonard	Youngblood
Lindsey	

## Nays—3

Alsup	Reed of Bowie
Crossley	

## Absent

Adamson	Hill
Adkins	Jefferson
Butler of Brazos	Knetsch
Caldwell	Lange
Davisson	Luker
of Eastland	Pope
Dunlap of Kleberg	Riddle
Dwyer	Roane
Fitzwater	Roark
Ford	Scarborough
Graves	Tarwater

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 691 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—122

Aikin	Howard
Alexander	Huddleston
Alsup	Hunt
Ash	Hyder
Atchison	Jackson
Beck	James
Bergman	Jefferson
Bourne	Jones of Atascosa
Bradford	Jones of Falls
Broyles	Jones of Runnels
Burton	Jones of Shelby
Butler of Karnes	Jones of Wise
Cagle	Keefe
Calvert	King
Canon	Knetsch
Celaya	Lanning
Clayton	Latham
Collins	Leath
Colquitt	Lemens
Colson	Leonard
Cooper	Lindsey
Cowley	Lotief
Craddock	Lucas
Daniel	Mauritz
Davison of Fisher	McCalla
Davisson	McConnell
of Eastland	McKee
Dickison	Moffett
Dunagan	Moore
Dunlap of Hays	Morris
England	Morrison
Fain	Morse
Fisher	Newton
Fox	Nicholson
Frazer	Padgett
Fuchs	Palmer
Gibson	Patterson
Glass	Payne
Good	Petsch
Graves	Pope
Gray	Quinn
Greathouse	Reader
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Hardin	Roach of Angelina
Harris of Archer	Roach of Hunt
Harris of Dallas	Roberts
Hartzog	Rogers
Head	Russell
Herzik	Rutta
Hodges	Settle
Holland	Shofner
Hoskins	Smith

Spears	Waggoner
Stanfield	Walker
Steward	Wells
Stinson	Westfall
Stovall	Wood of Harrison
Tennyson	Wood of Montague
Thornton	Worley
Tillery	Young
Venable	Youngblood

Nays—1

Crossley

Absent

Adamson	Hofheinz
Adkins	Hunter
Bradbury	Lange
Butler of Brazos	Luker
Caldwell	Riddle
Dunlap of Kleberg	Roane
Dwyer	Roark
Fitzwater	Scarborough
Ford	Tarwater
Hill	

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

HOUSE BILL NO. 689 ON SECOND  
READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 689, A bill to be entitled "An Act to repeal Article 952 1-3 of the Penal Code of the State of Texas, the same being the Acts of the Forty-first Legislature, Second Called Session, Chapter 75, page 150, passed in 1929, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 689 ON THIRD  
READING

Mr. Jefferson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 689 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adkins	Bergman
Aikin	Bourne
Alexander	Bradbury
Alsup	Bradford
Ash	Broyles
Atchison	Burton
Beck	Butler of Karnes

Cagle	Lanning
Canon	Latham
Celaya	Leath
Clayton	Lemens
Collins	Leonard
Colquitt	Lotief
Colson	Lucas
Cooper	McCalla
Cowley	McConnell
Craddock	McKee
Daniel	Moffett
Davison of Fisher	Moore
Davisson	Morris
of Eastland	Morrison
Dickison	Morse
Dunagan	Newton
Dunlap of Hays	Nicholson
England	Padgett
Fain	Palmer
Fisher	Patterson
Fox	Payne
Frazer	Petsch
Fuchs	Quinn
Gibson	Reader
Glass	Reed of Bowie
Good	Reed of Dallas
Gray	Roach of Angelina
Greathouse	Roach of Hunt
Hankamer	Roane
Hanna	Roberts
Hardin	Rogers
Harris of Archer	Russell
Harris of Dallas	Rutta
Head	Settle
Herzik	Shofner
Hodges	Smith
Hofheinz	Spears
Holland	Stanfield
Hoskins	Steward
Howard	Stinson
Huddleston	Stovall
Hunt	Tarwater
Hunter	Tennyson
Hyder	Thornton
Jackson	Tillery
James	Venable
Jefferson	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Wells
Jones of Runnels	Westfall
Jones of Shelby	Wood of Harrison
Jones of Wise	Wood of Montague
Keefe	Worley
King	Young
Knetsch	Youngblood

Absent

Adamson	Hartzog
Butler of Brazos	Hill
Caldwell	Lange
Calvert	Lindsey
Crossley	Luker
Dunlap of Kleberg	Mauritz
Dwyer	Pope
Fitzwater	Riddle
Ford	Roark
Graves	Scarborough

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 689 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—119

Adkins	Hunt
Aikin	Hunter
Alexander	Hyder
Alsup	Jackson
Ash	James
Atchison	Jefferson
Beck	Jones of Atascosa
Bergman	Jones of Falls
Bourne	Jones of Runnels
Bradbury	Jones of Shelby
Bradford	Jones of Wise
Burton	King
Butler of Karnes	Knetsch
Cagle	Lanning
Canon	Latham
Celaya	Leath
Clayton	Lemens
Collins	Leonard
Colquitt	Lindsey
Colson	Lotief
Cooper	Lucas
Cowley	Mauritz
Craddock	McCalla
Daniel	McConnell
Davison of Fisher	McKee
Davison of Eastland	Moffett
Dickison	Moore
Dunagan	Morris
Dunlap of Hays	Morrison
England	Morse
Fain	Newton
Fisher	Nicholson
Fox	Padgett
Frazer	Palmer
Fuchs	Patterson
Gibson	Payne
Glass	Petsch
Good	Pope
Gray	Reader
Greathouse	Reed of Bowie
Hanna	Reed of Dallas
Hardin	Roach of Hunt
Harris of Archer	Roane
Harris of Dallas	Roberts
Hartzog	Rogers
Head	Russell
Hodges	Rutta
Hofheinz	Settle
Holland	Shofner
Hoskins	Smith
Howard	Spears
Huddleston	Stanfield
	Steward

Stinson	Wells
Stovall	Westfall
Tennyson	Wood of Harrison
Thornton	Wood of Montague
Tillery	Worley
Venable	Young
Walker	Youngblood

## Absent

Adamson	Herzik
Broyles	Hill
Butler of Brazos	Keefe
Caldwell	Lange
Calvert	Luker
Crossley	Quinn
Dunlap of Kleberg	Riddle
Dwyer	Roach of Angelina
Fitzwater	Roark
Ford	Scarborough
Graves	Tarwater
Hankamer	Waggoner

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

## HOUSE BILL NO. 773 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 773, A bill to be entitled "An Act authorizing the governing body of any incorporated city or town having a population of 290,000 or more, according to the preceding Federal Census, to formulate and devise a pension plan, said pension plan, before becoming effective, to be approved by the qualified electors of such city or town; etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 773 ON THIRD READING

Mr. Morse moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 773 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—119

Adkins	Beck
Aikin	Bergman
Alexander	Bourne
Alsup	Bradbury
Ash	Bradford
Atchison	Broyles

Burton	Lange
Butler of Karnes	Lanning
Cagle	Latham
Calvert	Leath
Canon	Leonard
Celaya	Lindsey
Clayton	Lotief
Collins	Lucas
Colquitt	Mauritz
Colson	McCalla
Cooper	McConnell
Cowley	McKee
Craddock	Moffett
Daniel	Moore
Davison of Fisher	Morris
Davisson	Morrison
of Eastland	Morse
Dickison	Newton
Dunagan	Nicholson
Dunlap of Hays	Padgett
England	Palmer
Fain	Patterson
Fisher	Payne
Fox	Petsch
Fuchs	Pope
Gibson	Quinn
Glass	Reader
Good	Reed of Bowie
Gray	Reed of Dallas
Hankamer	Roach of Angelina
Hanna	Roach of Hunt
Hardin	Roane
Harris of Archer	Roberts
Harris of Dallas	Russell
Head	Rutta
Hodges	Settle
Hofheinz	Shofner
Holland	Smith
Hoskins	Spears
Howard	Stanfield
Huddleston	Steward
Hunt	Stinson
Hunter	Tarwater
Hyder	Tennyson
Jackson	Thornton
James	Tillery
Jefferson	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Wells
Jones of Runnels	Wood of Harrison
Jones of Shelby	Wood of Montague
Jones of Wise	Worley
King	Young
Knetsch	Youngblood

## Absent

Adamson	Greathouse
Butler of Brazos	Hartzog
Caldwell	Herzik
Crossley	Hill
Dunlap of Kleberg	Keefe
Dwyer	Lemens
Fitzwater	Luker
Ford	Riddle
Frazer	Roark
Graves	Rogers

Scarborough	Venable
Stovall	Westfall

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 773 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—119

Adkins	Herzik
Aikin	Hodges
Alexander	Hofheinz
Alsup	Holland
Ash	Hoskins
Atchison	Howard
Beck	Huddleston
Bergman	Hunt
Bourne	Hunter
Bradbury	Hyder
Bradford	Jackson
Broyles	Jefferson
Burton	Jones of Falls
Butler of Karnes	Jones of Runnels
Cagle	Jones of Shelby
Calvert	Jones of Wise
Canon	Keefe
Celaya	King
Clayton	Knetsch
Collins	Lange
Colquitt	Lanning
Colson	Latham
Cooper	Leonard
Cowley	Lindsey
Craddock	Lotief
Daniel	Lucas
Davison of Fisher	Mauritz
Davisson	McCalla
of Eastland	McConnell
Dickison	McKee
Dunagan	Moffett
Dunlap of Hays	Moore
Dwyer	Morris
England	Morse
Fain	Newton
Fisher	Nicholson
Fox	Padgett
Frazer	Palmer
Fuchs	Patterson
Gibson	Payne
Glass	Petsch
Good	Quinn
Gray	Reader
Greathouse	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Roach of Angelina
Hardin	Roach of Hunt
Harris of Archer	Roberts
Harris of Dallas	Russell
Hartzog	Rutta
Head	Settle

Shofner	Venable
Smith	Walker
Stanfield	Wells
Steward	Westfall
Stinson	Wood of Harrison
Stovall	Wood of Montague
Tarwater	Worley
Tennyson	Young
Thornton	Youngblood
Tillery	

Nays—1

Crossley

Absent

Adamson	Lemens
Butler of Brazos	Luker
Caldwell	Morrison
Dunlap of Kleberg	Pope
Fitzwater	Riddle
Ford	Roane
Graves	Roark
Hill	Rogers
James	Scarborough
Jones of Atascosa	Spears
Leath	Waggoner

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

## HOUSE BILL NO. 869 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 869, A bill to be entitled "An Act to repeal Senate Bill No. 215, Chapter 47, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

The bill was read second time.

Mrs. Moore offered the following amendment to the bill:

Amend House Bill No. 869 by striking out all below the enacting clause, and insert in lieu thereof the following:

"Section 1. That Senate Bill No. 215, Chapter 47, Acts of the Regular Session of the Forty-second Legislature, which reads as follows:

"Section 1. That the Dallas State Hospital is hereby created to be composed of the Dallas Psychopathic Hospital, as defined in Chapter 2, Article 3192, Revised Civil Statutes, 1925, and the State Cancer and Pellagra Hospital, as defined in Chapter 185 of the General and Special Laws of the Forty-first Legislature, Regular Session, 1929, provided there shall

be only one superintendent for said consolidated hospitals,' be, and the same is hereby, repealed.

"Sec. 2. Nothing herein shall be construed as repealing Article 3192, Revised Civil Statutes of 1925; nor Chapter 185, Acts of the Regular Session of the Forty-first Legislature; it being the purpose and intent of this Act to repeal only the Act of the Forty-second Legislature, Chapter 47, which combined the Dallas Psychopathic Hospital and the State Cancer and Pellagra Hospital.

"Sec. 3. The fact that a psychopathic hospital is a dire necessity, but that the establishment of a cancer and pellagra hospital is not necessary at this time, creates an emergency and an imperative public necessity that the constitutional rule, requiring that all bills be read on three several days in each house, be suspended, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

MOORE,  
STINSON.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and the body of the bill.

House Bill No. 869 was then passed to engrossment.

## HOUSE BILL NO. 869 ON THIRD READING

Mrs. Moore moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 869 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Aikin	Canon
Alexander	Celaya
Ash	Clayton
Atchison	Collins
Beck	Colquitt
Bergman	Colson
Bourne	Cooper
Bradbury	Cowley
Bradford	Craddock
Broyles	Daniel
Burton	Davison of Fisher
Butler of Karnes	Davisson
Cagle	of Eastland
Caldwell	Dickison



Dunagan	Lucas
Dunlap of Hays	Mauritz
Dunlap of Kleberg	McCalla
England	McConnell
Fain	McKee
Fisher	Moffett
Fox	Moore
Frazer	Morris
Fuchs	Morrison
Gibson	Morse
Glass	Newton
Good	Nicholson
Gray	Padgett
Greathouse	Palmer
Hankamer	Patterson
Hanna	Payne
Hardin	Petsch
Harris of Dallas	Quinn
Hartzog	Reader
Head	Reed of Bowie
Herzik	Reed of Dallas
Hodges	Roach of Angelina
Hofheinz	Roach of Hunt
Holland	Roberts
Hoskins	Russell
Howard	Rutta
Huddleston	Settle
Hunt	Shofner
Hunter	Smith
Hyder	Spears
Jackson	Stanfield
James	Steward
Jones of Atascosa	Stinson
Jones of Falls	Stovall
Jones of Runnels	Tennyson
Jones of Shelby	Thornton
Jones of Wise	Tillery
Keefe	Venable
King	Waggoner
Knetsch	Walker
Lanning	Wells
Latham	Westfall
Leath	Wood of Harrison
Lemens	Wood of Montague
Leonard	Worley
Lindsey	Young
Lotief	Youngblood

## Absent

Adamson	Hill
Adkins	Jefferson
Alsup	Lange
Butler of Brazos	Luker
Calvert	Pope
Crossley	Riddle
Dwyer	Roane
Fitzwater	Roark
Ford	Rogers
Graves	Scarborough
Harris of Archer	Tarwater

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 869 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## HOUSE BILL NO. 946 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 946, A bill to be entitled "An Act to amend Section 4, Senate Bill No. 9, Chapter 5, Acts Second Called Session, Forty-third Legislature, and Senate Bill No. 118, Regular Session, Forty-fourth Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 946 ON THIRD READING

Mr. Dunlap of Hays moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 946 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Aikin	Dwyer
Alexander	England
Alsup	Fain
Ash	Fisher
Atchison	Fox
Beck	Frazer
Bergman	Fuchs
Bourne	Gibson
Bradbury	Glass
Bradford	Good
Broyles	Gray
Burton	Hankamer
Cagle	Hanna
Canon	Hardin
Celaya	Harris of Dallas
Clayton	Hartzog
Collins	Head
Colquitt	Hodges
Colson	Hofheinz
Cooper	Holland
Cowley	Hoskins
Craddock	Howard
Daniel	Huddleston
Davison of Fisher	Hyder
Davisson	Jackson
of Eastland	James
Dickison	Jefferson
Dunagan	Jones of Atascosa
Dunlap of Hays	Jones of Falls
Dunlap of Kleberg	Jones of Runnels

Jones of Shelby	Reader
Jones of Wise	Reed of Bowie
Keefe	Reed of Dallas
King	Roach of Angelina
Knetsch	Roach of Hunt
Lanning	Roberts
Latham	Russell
Lemens	Rutta
Leonard	Settle
Lindsey	Shofner
Lotief	Smith
Lucas	Spears
Mauritz	Stanfield
McCalla	Steward
McConnell	Stinson
McKee	Stovall
Moffett	Tennyson
Moore	Thornton
Morris	Tillery
Morrison	Venable
Morse	Waggoner
Newton	Walker
Nicholson	Wells
Padgett	Westfall
Palmer	Wood of Harrison
Patterson	Wood of Montague
Payne	Worley
Petsch	Young
Quinn	Youngblood

## Nays—1

Greathouse

## Absent

Adamson	Hunt
Adkins	Hunter
Butler of Brazos	Lange
Butler of Karnes	Leath
Caldwell	Luker
Calvert	Pope
Crossley	Riddle
Fitzwater	Roane
Ford	Roark
Graves	Rogers
Harris of Archer	Scarborough
Herzik	Tarwater
Hill	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 946 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—121

Aikin	Bergman
Alexander	Bourne
Alsup	Bradbury
Ash	Bradford
Atchison	Broyles
Beck	Burton

Butler of Karnes	Lange
Cagle	Lanning
Calvert	Latham
Canon	Leath
Celaya	Lemens
Clayton	Leonard
Collins	Lindsey
Colquitt	Lotief
Colson	Lucas
Cooper	Mauritz
Cowley	McCalla
Daniel	McConnell
Davison of Fisher	McKee
Davisson	Moore
of Eastland	Morris
Dickison	Morrison
Dunagan	Morse
Dunlap of Hays	Newton
Dunlap of Kleberg	Nicholson
England	Olsen
Fain	Padgett
Fisher	Palmer
Fox	Patterson
Frazer	Payne
Fuchs	Petsch
Gibson	Quinn
Glass	Reader
Good	Reed of Bowie
Gray	Reed of Dallas
Hankamer	Roach of Angelina
Hanna	Roach of Hunt
Hardin	Roberts
Harris of Dallas	Russell
Hartzog	Rutta
Head	Settle
Herzik	Shofner
Hodges	Smith
Hofheinz	Spears
Holland	Stanfield
Hoskins	Steward
Howard	Stinson
Huddleston	Stovall
Hunt	Tennyson
Hunter	Thornton
Hyder	Tillery
Jackson	Venable
James	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Wells
Jones of Runnels	Westfall
Jones of Shelby	Wood of Harrison
Jones of Wise	Wood of Montague
Keefe	Worley
King	Young
Knetsch	Youngblood

## Absent

Adamson	Graves
Adkins	Greathouse
Butler of Brazos	Harris of Archer
Caldwell	Hill
Craddock	Jefferson
Crossley	Luker
Dwyer	Moffett
Fitzwater	Pope
Ford	Riddle

Roane  
Roark  
Rogers

Scarborough  
Tarwater

Absent—Excused

Davis  
Duvall  
Farmer

McFarland  
McKinney

# HOUSE BILL NO. 914 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 914, A bill to be entitled "An Act to create the San Jacinto River Conservation and Reclamation District under the authority of Section 59, of Article XVI, of the Constitution of Texas, and defining the powers and duties of the said district; providing for temporary directors and organization and operation of the district; and the authority and duties of said temporary directors, etc., and declaring an emergency."

The bill was read second time.

Mr. Howard offered the following committee amendment to the bill:

Amend House Bill No. 914, Section 5, by adding a comma after the word "engineers" in line 5 of Section 5, page 5, and insert "with the exception of Liberty County."

The amendment was adopted.

House Bill No. 914 was then passed to engrossment.

# HOUSE BILL NO. 914 ON THIRD READING

Mr. Howard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 914 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Adkins	Cagle
Aikin	Caldwell
Alexander	Canon
Alsup	Celaya
Ash	Clayton
Atchison	Collins
Beck	Colquitt
Bergman	Colson
Bourne	Cooper
Bradbury	Cowley
Broyles	Craddock
Burton	Crossley
Butler of Karnes	Daniel

Davison of Fisher	Lucas
Davisson	Mauritz
of Eastland	McCalla
Dickison	McConnell
Dunlap of Hays	McKee
Dunlap of Kleberg	Moffett
Dwyer	Moore
England	Morris
Fain	Morrison
Fisher	Morse
Fox	Newton
Frazer	Nicholson
Fuchs	Olsen
Gibson	Padgett
Glass	Palmer
Gray	Patterson
Greathouse	Payne
Hankamer	Petsch
Hanna	Pope
Hardin	Reader
Harris of Dallas	Reed of Bowie
Hartzog	Reed of Dallas
Head	Roach of Hunt
Herzik	Roberts
Hodges	Rogers
Hofheinz	Russell
Holland	Rutta
Hoskins	Settle
Howard	Shofner
Huddleston	Smith
Hunt	Spears
Hunter	Stanfield
Hyder	Steward
Jackson	Stinson
Jefferson	Stovall
Jones of Falls	Tarwater
Jones of Runnels	Tennyson
Jones of Shelby	Thornton
Jones of Wise	Tillery
Keefe	Venable
King	Waggoner
Knetsch	Walker
Lange	Wells
Lanning	Westfall
Latham	Wood of Harrison
Leath	Wood of Montague
Lemens	Worley
Leonard	Young
Lindsey	Youngblood
Lotief	

Nays—3

Good	Roach of Angelina
James	

Absent

Adamson	Hill
Bradford	Jones of Atascosa
Butler of Brazos	Luker
Calvert	Quinn
Dunagan	Riddle
Fitzwater	Roane
Ford	Roark
Graves	Scarborough
Harris of Archer	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid House Bill No. 914 before the House on its third reading and final passage.

The bill was read third time, and failed to pass by the following vote:

## Yeas—50

Ash	Latham
Bradbury	Leath
Bradford	Lemens
Celaya	McCalla
Clayton	McKee
Collins	Moffett
Colquitt	Moore
Colson	Morse
Cooper	Olsen
Crossley	Padgett
Daniel	Patterson
Fisher	Petsch
Hankamer	Pope
Hartzog	Quinn
Head	Reader
Hofheinz	Reed of Dallas
Holland	Roane
Howard	Roberts
Hyder	Russell
Jones of Falls	Settle
Jones of Runnels	Steward
Jones of Shelby	Stinson
Keefe	Thornton
King	Tillery
Lange	Walker

## Nays—66

Adkins	Glass
Aikin	Good
Alexander	Greathouse
Alsup	Hanna
Atchison	Hardin
Beck	Harris of Archer
Bergman	Harris of Dallas
Bröyles	Herzik
Butler of Karnes	Hodges
Calvert	Huddleston
Canon	Hunt
Cowley	Hunter
Craddock	Jackson
Davison of Fisher	James
Davison of Eastland	Jefferson
Dickison	Jones of Wise
Dunagan	Knetsch
Dunlap of Hays	Lanning
Fain	Lindsey
Fox	Lotief
Frazer	Lucas
Fuchs	McConnell
Gibson	Morrison
	Newton

Nicholson	Tennyson
Palmer	Venable
Reed of Bowie	Waggoner
Roach of Angelina	Wells
Roach of Hunt	Westfall
Rutta	Wood of Harrison
Shofner	Wood of Montague
Smith	Worley
Stanfield	Youngblood
Stovall	

## Present—Not Voting

Bourne	England
Absent	
Adamson	Jones of Atascosa
Burton	Leonard
Butler of Brazos	Luker
Cagle	Mauritz
Caldwell	Morris
Dunlap of Kleberg	Payne
Dwyer	Riddle
Fitzwater	Roark
Ford	Rogers
Graves	Scarborough
Gray	Spears
Hill	Tarwater
Hoskins	Young

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

Mr. Calvert moved to reconsider the vote by which House Bill No. 914 failed to pass, and asked to have the motion to reconsider spread on the Journal.

## SENATE BILL NO. 496 ON SECOND READING

Mr. Stinson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 496 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—122

Adkins	Burton
Aikin	Butler of Karnes
Alexander	Caldwell
Alsup	Calvert
Ash	Canon
Atchison	Celaya
Beck	Clayton
Bergman	Collins
Bourne	Colquitt
Bradbury	Colson
Broyles	Cooper

Cowley	Leonard
Craddock	Lindsey
Daniel	Lotief
Davison of Fisher	Lucas
Davisson	Mauritz
of Eastland	McCalla
Dickison	McConnell
Dunagan	McKee
Dunlap of Hays	Moffett
England	Moore
Fain	Morris
Fisher	Morrison
Fox	Morse
Frazer	Newton
Fuchs	Nicholson
Gibson	Olsen
Glass	Palmer
Good	Patterson
Gray	Payne
Greathouse	Petsch
Hankamer	Quinn
Hanna	Reader
Hardin	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dallas	Roach of Angelina
Hartzog	Roach of Hunt
Head	Roberts
Herzik	Russell
Hodges	Rutta
Hofheinz	Settle
Holland	Shofner
Hoskins	Smith
Howard	Spears
Huddleston	Stanfield
Hunter	Steward
Hyder	Stinson
Jackson	Stovall
James	Tennyson
Jefferson	Thornton
Jones of Falls	Tillery
Jones of Runnels	Venable
Jones of Shelby	Waggoner
Jones of Wise	Walker
Keefe	Wells
King	Westfall
Knetsch	Wood of Harrison
Lange	Wood of Montague
Lanning	Worley
Latham	Young
Leath	Youngblood
Lemens	

## Absent

Adamson	Hunt
Bradford	Jones of Atascosa
Butler of Brazos	Luker
Cagle	Padgett
Crossley	Pope
Dunlap of Kleberg	Riddle
Dwyer	Roane
Fitzwater	Roark
Ford	Rogers
Graves	Scarborough
Hill	Tarwater

## Absent—Excused

Davis	Duvall
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Farmer  
McFarland

McKinney

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 496, A bill to be entitled "An Act authorizing any city of more than one hundred thousand population, according to the last preceding census, to codify and adopt a code of civil and criminal ordinances without the necessity of publication; providing for the taking effect of said code upon adoption; providing for the reception in evidence of such code when printed under the supervision of the governing body of said city and the effect of such admission in evidence, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 496 ON THIRD READING

The Chair then laid Senate Bill No. 496 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—120

Adkins	England
Aikin	Fain
Alexander	Fisher
Alsup	Fox
Ash	Frazer
Atchison	Fuchs
Beck	Gibson
Bourne	Glass
Bradbury	Good
Broyles	Graves
Burton	Gray
Butler of Karnes	Greathouse
Cagle	Hankamer
Caldwell	Hanna
Calvert	Hardin
Canon	Harris of Archer
Celaya	Harris of Dallas
Clayton	Hartzog
Collins	Head
Colquitt	Herzik
Colson	Hodges
Cooper	Hofheinz
Cowley	Holland
Craddock	Howard
Daniel	Huddleston
Davison of Fisher	Hunter
Davisson	Hyder
of Eastland	Jackson
Dickison	James
Dunagan	Jefferson
Dunlap of Hays	Jones of Falls

Jones of Runnels	Quinn
Jones of Shelby	Reader
Jones of Wise	Reed of Bowie
Keefe	Reed of Dallas
Knetsch	Roach of Angelina
Lange	Roach of Hunt
Lanning	Roberts
Latham	Russell
Leath	Rutta
Lemens	Settle
Leonard	Shofner
Lindsey	Smith
Lotief	Spears
Lucas	Stanfield
Mauritz	Steward
McCalla	Stinson
McConnell	Stovall
McKee	Tennynson
Moffett	Thornton
Moore	Tillery
Morris	Venable
Morrison	Waggoner
Morse	Walker
Newton	Wells
Nicholson	Westfall
Olsen	Wood of Harrison
Padgett	Wood of Montague
Palmer	Worley
Patterson	Young
Payne	Youngblood
Petsch	

## Absent

Adamson	Hunt
Bergman	Jones of Atascosa
Bradford	King
Butler of Brazos	Luker
Crossley	Pope
Dunlap of Kleberg	Riddle
Dwyer	Roane
Fitzwater	Roark
Ford	Rogers
Hill	Scarborough
Hoskins	Tarwater

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

HOUSE BILL NO. 966 ON SECOND  
READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 966, A bill to be entitled "An Act providing for the appointment of a juvenile officer and assistant juvenile officers in counties having a population of more than one hundred and seventy-five thousand, fixing their duties, salaries, and term of office, and declaring an emergency."

The bill was read second time.

Mr. Smith offered the following amendments to the bill:

Amend House Bill No. 966 by striking out all below the enacting clause, and insert in lieu thereof the following:

That Article 5142-a of the Revised Civil Statutes of Texas be, and the same is hereby, amended so as to hereafter read as follows:

"Article 5142-a. Juvenile Officer and Salary.

"That in counties having a population of more than one hundred seventy-five thousand, according to the preceding Federal Census, the county juvenile board shall appoint a juvenile officer for a term of two years, at a salary to be fixed by the commissioners court, to be paid monthly by the county, whose extra duties will be to make investigations for the commissioners court on applications for charity, or admission into detention homes or orphans' homes created by such counties. Such juvenile officer may select assistant juvenile officers, subject to the approval of such board, the number of such assistants not to exceed one assistant to each twenty-five thousand population. The salaries of such assistants shall be the same as that fixed in Article 3902 of the Revised Civil Statutes of 1925, and as amended, for assistants to other county officials, except that the head of a department need not have before served for any particular period of time, efficiency being called for in such counties. Such juvenile officer and said assistant juvenile officers may be allowed expenses not to exceed two hundred dollars (\$200) a year each."

Sec. 2. The fact that in such larger counties of the State this change will take such office out of politics, and insure more attention to the young children of the State, and promote the efficient conduct of such office, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and said rule is so suspended, and that this Act shall take effect and be in force from and after its passage.

Amend House Bill No. 966 by striking out all above the enacting clause

and inserting in lieu thereof the following:

"A bill to be entitled 'An Act to amend Article 5142-a of the Revised Civil Statutes of Texas, and declaring an emergency'."

The amendments were severally adopted.

House Bill No. 966 was then passed to engrossment.

### HOUSE BILL NO. 966 ON THIRD READING

Mr. Smith moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 966 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Adkins	Greathouse
Aikin	Hankamer
Alexander	Hardin
Alsup	Harris of Archer
Ash	Harris of Dallas
Atchison	Hartzog
Beck	Head
Bergman	Herzik
Bourne	Hodges
Bradbury	Hofheinz
Broyles	Holland
Burton	Howard
Butler of Karnes	Huddleston
Cagle	Hunt
Caldwell	Hunter
Calvert	Hyder
Canon	Jackson
Celaya	James
Clayton	Jefferson
Collins	Jones of Atascosa
Colquitt	Jones of Falls
Colson	Jones of Runnels
Cooper	Jones of Wise
Cowley	Keefe
Craddock	Knetsch
Daniel	Lange
Davison of Fisher	Lanning
Davisson	Latham
of Eastland	Lemens
Dickison	Leonard
Dunagan	Lotief
Dunlap of Hays	Lucas
England	Mauritz
Fain	McCalla
Fisher	McConnell
Fox	McKee
Frazer	Moffett
Fuchs	Moore
Gibson	Morris
Glass	Morrison
Good	Morse

Newton	Smith
Nicholson	Spears
Olsen	Stanfield
Padgett	Steward
Palmer	Stovall
Patterson	Tarwater
Payne	Tennyson
Petsch	Thornton
Quinn	Tillery
Reader	Venable
Reed of Bowie	Waggoner
Reed of Dallas	Walker
Roach of Angelina	Wells
Roach of Hunt	Westfall
Roberts	Wood of Harrison
Russell	Wood of Montague
Rutta	Worley
Settle	Young
Shofner	Youngblood

### Absent

Adamson	Jones of Shelby
Bradford	King
Butler of Brazos	Leath
Crossley	Lindsey
Dunlap of Kleberg	Luker
Dwyer	Pope
Fitzwater	Riddle
Ford	Roane
Graves	Roark
Gray	Rogers
Hanna	Scarborough
Hill	Stinson
Hoskins	

### Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid House Bill No. 966 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—121

Adkins	Collins
Aikin	Colquitt
Alexander	Colson
Alsup	Cooper
Ash	Cowley
Atchison	Craddock
Beck	Daniel
Bergman	Davison of Fisher
Bourne	Davisson
Bradbury	of Eastland
Broyles	Dickison
Burton	Dunagan
Butler of Karnes	Dunlap of Hays
Cagle	England
Caldwell	Fain
Calvert	Fisher
Canon	Fox
Celaya	Frazer
Clayton	Fuchs

Gibson	Moore
Glass	Morris
Good	Morrison
Gray	Morse
Greathouse	Newton
Hankamer	Nicholson
Hardin	Olsen
Harris of Archer	Palmer
Harris of Dallas	Patterson
Hartzog	Payne
Head	Petsch
Hodges	Pope
Hofheinz	Quinn
Holland	Reader
Howard	Reed of Bowie
Huddleston	Reed of Dallas
Hunt	Roach of Angelina
Hunter	Roach of Hunt
Hyder	Roberts
Jackson	Russell
James	Rutta
Jefferson	Settle
Jones of Atascosa	Shofner
Jones of Falls	Smith
Jones of Runnels	Spears
Jones of Wise	Stanfield
Keefe	Steward
King	Stovall
Knetsch	Tarwater
Lange	Tennyson
Lanning	Thornton
Latham	Tillery
Leath	Venable
Lemens	Waggoner
Leonard	Walker
Lotief	Wells
Lucas	Westfall
Mauritz	Wood of Harrison
McCalla	Wood of Montague
McConnell	Worley
McKee	Young
Moffett	Youngblood

Nays—1

Crossley

Absent

Adamson	Hoskins
Bradford	Jones of Shelby
Butler of Brazos	Lindsey
Dunlap of Kleberg	Luker
Dwyer	Padgett
Fitzwater	Riddle
Ford	Roane
Graves	Roark
Hanna	Rogers
Herzik	Scarborough
Hill	Stinson

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

## HOUSE BILL NO. 853 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 853, A bill to be entitled "An Act repealing Section 11 of Article 7152, Title 122, of the Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 853 ON THIRD READING

Mr. Nicholson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 853 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adkins	Hankamer
Aikin	Hanna
Alsup	Hardin
Ash	Harris of Dallas
Atchison	Hartzog
Beck	Head
Bergman	Herzik
Bourne	Hodges
Broyles	Hofheinz
Burton	Holland
Butler of Karnes	Howard
Cagle	Huddleston
Caldwell	Hunter
Calvert	Hyder
Canon	Jackson
Clayton	James
Collins	Jefferson
Colquitt	Jones of Atascosa
Colson	Jones of Falls
Cooper	Jones of Runnels
Cowley	Jones of Shelby
Daniel	King
Davison of Fisher	Knetsch
Dickison	Lange
Dunagan	Lanning
Dunlap of Hays	Latham
Dwyer	Lemens
England	Leonard
Fain	Lindsey
Fisher	Lotief
Fox	Lucas
Fuchs	Mauritz
Gibson	McCalla
Glass	McConnell
Good	McKee
Gray	Moffett



Moore	Settle
Morris	Shofner
Morrison	Smith
Morse	Spears
Newton	Stanfield
Nicholson	Steward
Olsen	Stinson
Padgett	Stovall
Palmer	Tennyson
Patterson	Thornton
Payne	Tillery
Petsch	Venable
Pope	Waggoner
Quinn	Walker
Reader	Wells
Reed of Bowie	Westfall
Reed of Dallas	Wood of Harrison
Roach of Angelina	Wood of Montague
Roach of Hunt	Worley
Roberts	Young
Russell	Youngblood
Rutta	

## Nays—4

Bradbury	Harris of Archer
Crossley	Hunt

## Absent

Adamson	Greathouse
Alexander	Hill
Bradford	Hoskins
Butler of Brazos	Jones of Wise
Celaya	Keefe
Craddock	Leath
Davisson	Luker
of Eastland	Riddle
Dunlap of Kleberg	Roane
Fitzwater	Roark
Ford	Rogers
Frazer	Scarborough
Graves	Tarwater

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid House Bill No. 853 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—111

Aikin	Caldwell
Alexander	Calvert
Ash	Canon
Atchison	Clayton
Beck	Collins
Bourne	Colquitt
Bradbury	Colson
Broyles	Cooper
Burton	Cowley
Butler of Karnes	Daniel
Cagle	Davison of Fisher

Dickison	McConnell
Dunagan	McKee
Dunlap of Hays	Moffett
Dwyer	Moore
Fain	Morris
Fisher	Morse
Frazer	Newton
Fuchs	Nicholson
Gibson	Olsen
Good	Padgett
Graves	Palmer
Gray	Patterson
Greathouse	Payne
Hankamer	Petsch
Hanna	Pope
Hardin	Reader
Harris of Dallas	Reed of Bowie
Hartzog	Reed of Dallas
Head	Roach of Angelina
Hodges	Roach of Hunt
Hofheinz	Roberts
Holland	Russell
Hoskins	Rutta
Howard	Settle
Huddleston	Shofner
Hunter	Smith
Hyder	Spears
Jackson	Stanfield
James	Steward
Jefferson	Stinson
Jones of Atascosa	Stovall
Jones of Falls	Tarwater
Jones of Runnels	Thornton
Jones of Wise	Tillery
Keefe	Venable
King	Waggoner
Lange	Walker
Lanning	Wells
Latham	Westfall
Lemens	Wood of Harrison
Leonard	Wood of Montague
Lotief	Worley
Lucas	Young
Mauritz	Youngblood
McCalla	

## Nays—11

Alsup	Hunt
Craddock	Knetsch
Crossley	Lindsey
Fox	Morrison
Glass	Quinn
Harris of Archer	

## Present—Not Voting

England

## Absent

Adamson	Fitzwater
Adkins	Ford
Bergman	Herzik
Bradford	Hill
Butler of Brazos	Jones of Shelby
Celaya	Leath
Davisson	Luker
of Eastland	Riddle
Dunlap of Kleberg	Roane

Roark  
Rogers

Scarborough  
Tennyson

Absent—Excused

Davis  
Duvall  
Farmer

McFarland  
McKinney

# HOUSE BILL NO. 970 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 970, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 12,220 or more than 12,235, according to the last Federal Census, and declaring an emergency."

The bill was read second time.

Mr. Palmer offered the following amendment to the bill:

Amend House Bill No. 970, Section 1, line 4, to read as follows: "twelve hundred".

The amendment was adopted.

Mr. Colson offered the following amendment to the bill:

Amend House Bill No. 970 by adding after Section 1 the following section:

"Section 1-a. That the salaries and compensation of the county commissioners in counties with a population of not less than twenty-two thousand six hundred forty-two (22,642), nor more than twenty-two thousand seven hundred ninety-five (22,795), according to the last Federal Census, shall be twenty-one hundred dollars (\$2,100) per annum, payable in monthly installments of one hundred seventy-five dollars (\$175) per month."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 970 was then passed to engrossment.

# HOUSE BILL NO. 970 ON THIRD READING

Mr. Palmer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 970 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Adkins	Jones of Runnels
Aikin	Jones of Shelby
Alexander	Jones of Wise
Alsup	Keefe
Ash	King
Atchison	Knetsch
Beck	Lange
Bergman	Lanning
Bourne	Latham
Bradbury	Lemens
Burton	Leonard
Butler of Karnes	Lindsey
Cagle	Lotief
Caldwell	Lucas
Calvert	Mauritz
Canon	McCalla
Clayton	McKee
Collins	Moffett
Colquitt	Moore
Colson	Morris
Cooper	Morrison
Cowley	Morse
Craddock	Newton
Daniel	Nicholson
Davisson	Padgett
of Eastland	Palmer
Dickison	Patterson
Dunagan	Payne
Dunlap of Hays	Petsch
Dwyer	Pope
England	Reader
Fain	Reed of Bowie
Fisher	Reed of Dallas
Fox	Roach of Angelina
Frazer	Roach of Hunt
Fuchs	Roberts
Gibson	Russell
Glass	Rutta
Good	Settle
Gray	Shofner
Hankamer	Spears
Hanna	Stanfield
Hardin	Steward
Harris of Archer	Stinson
Harris of Dallas	Stovall
Hartzog	Tarwater
Head	Tennyson
Herzik	Thornton
Hodges	Tillery
Hofheinz	Venable
Hoskins	Waggoner
Howard	Walker
Huddleston	Wells
Hyder	Westfall
Jackson	Wood of Harrison
James	Wood of Montague
Jefferson	Worley
Jones of Atascosa	Young
Jones of Falls	Youngblood

Nays—2

Broyles

Crossley

## Present—Not Voting

McConnell

Quinn

## Absent

Adamson	Holland
Bradford	Hunt
Butler of Brazos	Hunter
Celaya	Leath
Davison of Fisher	Luker
Dunlap of Kleberg	Riddle
Fitzwater	Roane
Ford	Roark
Graves	Rogers
Greathouse	Scarborough
Hill	Smith

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	Olsen

The Chair then laid House Bill No. 970 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—120

Adkins	Fuchs
Aikin	Gibson
Alexander	Glass
Alsup	Good
Ash	Gray
Atchison	Greathouse
Beck	Hankamer
Bergman	Hanna
Bourne	Hardin
Bradbury	Harris of Archer
Burton	Harris of Dallas
Butler of Karnes	Hartzog
Cagle	Head
Caldwell	Herzik
Calvert	Hodges
Canon	Hofheinz
Clayton	Holland
Collins	Hoskins
Colquitt	Howard
Colson	Huddleston
Cooper	Hunt
Cowley	Hunter
Craddock	Hyder
Crossley	Jackson
Daniel	James
Davisson	Jefferson
of Eastland	Jones of Atascosa
Dickison	Jones of Falls
Dunagan	Jones of Runnels
Dunlap of Hays	Jones of Shelby
Dwyer	Jones of Wise
England	Keefe
Fain	King
Fisher	Lanning
Fox	Latham
Frazer	Lemens

Leonard

Lindsey

Lotief

Lucas

Mauritz

McCalla

McKee

Moffett

Moore

Morris

Morrison

Morse

Newton

Nicholson

Olsen

Padgett

Palmer

Patterson

Payne

Petsch

Pope

Reader

Reed of Bowie

Reed of Dallas

Roach of Hunt

Roberts

Russell

Rutta

Settle

Shofner

Smith

Stanfield

Steward

Stinson

Stovall

Tarwater

Thornton

Tillery

Venable

Waggoner

Walker

Wells

Westfall

Wood of Harrison

Wood of Montague

Worley

Young

Youngblood

## Present—Not Voting

Knetsch

Quinn

McConnell

Tennyson

## Absent

Adamson	Lange
Bradford	Leath
Broyles	Luker
Butler of Brazos	Riddle
Celaya	Roach of Angelina
Davison of Fisher	Roane
Dunlap of Kleberg	Roark
Fitzwater	Rogers
Ford	Scarborough
Graves	Spears
Hill	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

On motion of Mr. Davison of Fisher, the call of the House was extended until 10:20 o'clock p. m., today.

## HOUSE BILL NO. 977 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 977, A bill to be entitled "An Act to amend Article 8197-b, Chapter 8, Title 128, of the Revised Civil Statutes of the State of Texas, as amended by Act of the Forty-first Legislature, Fourth Called Session, page 71, Chapter 34, relating to the issuance of refunding bonds by any

district that may have availed itself of the provisions of Article 8195 and become a conservation and reclamation district, and repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

### HOUSE BILL NO. 977 ON THIRD READING

Mr. England moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 977 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adkins	Hankamer
Aikin	Hanna
Alexander	Hardin
Alsup	Harris of Archer
Ash	Harris of Dallas
Atchison	Head
Beck	Herzik
Bergman	Hodges
Bourne	Hofheinz
Bradbury	Holland
Broyles	Hoskins
Burton	Howard
Butler of Karnes	Huddleston
Cagle	Hunt
Calvert	Hunter
Canon	Hyder
Celaya	Jackson
Clayton	James
Collins	Jefferson
Colquitt	Jones of Atascosa
Colson	Jones of Falls
Cooper	Jones of Runnels
Cowley	Jones of Shelby
Craddock	Jones of Wise
Crossley	Keefe
Daniel	King
Davison of Fisher	Lanning
Davisson	Latham
of Eastland	Lemens
Dickison	Leonard
Dunagan	Lindsey
Dunlap of Hays	Lotief
Dwyer	Lucas
England	Mauritz
Fain	McCalla
Fisher	McConnell
Fox	McKee
Frazer	Moffett
Fuchs	Moore
Gibson	Morris
Glass	Morrison
Good	Morse
Graves	Newton
Greathouse	Nicholson

Olsen	Spears
Padgett	Stanfield
Palmer	Steward
Patterson	Stinson
Payne	Stovall
Petsch	Tarwater
Pope	Tennyson
Reader	Thornton
Reed of Bowie	Tillery
Reed of Dallas	Venable
Roach of Angelina	Waggoner
Roach of Hunt	Walker
Roane	Wells
Roberts	Westfall
Russell	Wood of Harrison
Rutta	Wood of Montague
Settle	Worley
Shofner	Young
Smith	Youngblood

Present—Not Voting

Knetsch

Absent

Adamson	Hill
Bradford	Lange
Butler of Brazos	Leath
Caldwell	Luker
Dunlap of Kleberg	Quinn
Fitzwater	Riddle
Ford	Roark
Gray	Rogers
Hartzog	Scarborough

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid House Bill No. 977 before the House on its third reading and final passage.

The bill was read third time.

Mr. England offered the following amendment to the bill:

Amend House Bill No. 977 by inserting after the words "commissioners court" and before the word "of" the words "or governing body".

The amendment was adopted.

House Bill No. 977 was then passed by the following vote:

Yeas—118

Adkins	Broyles
Aikin	Burton
Alexander	Butler of Karnes
Alsup	Cagle
Ash	Calvert
Atchison	Canon
Beck	Celaya
Bergman	Clayton
Bourne	Collins
Bradbury	Colquitt

Colson	Lindsey
Cooper	Lotief
Cowley	Lucas
Craddock	Mauritz
Daniel	McCalla
Davisson	McConnell
of Eastland	McKee
Dickison	Moffett
Dunagan	Moore
Dunlap of Hays	Morris
Dwyer	Morrison
England	Morse
Fain	Newton
Fisher	Nicholson
Fox	Olsen
Frazer	Padgett
Fuchs	Palmer
Gibson	Patterson
Glass	Payne
Good	Petsch
Graves	Pope
Hankamer	Reader
Hanna	Reed of Bowie
Hardin	Reed of Dallas
Harris of Archer	Roach of Angelina
Harris of Dallas	Roberts
Hartzog	Russell
Head	Rutta
Herzik	Settle
Hodges	Shofner
Hofheinz	Smith
Holland	Spears
Hoskins	Stanfield
Howard	Steward
Huddleston	Stinson
Hunt	Stovall
Hunter	Tarwater
Hyder	Tennyson
Jackson	Thornton
James	Tillery
Jefferson	Venable
Jones of Falls	Waggoner
Jones of Runnels	Walker
Jones of Shelby	Wells
Jones of Wise	Wood of Harrison
Keefe	Wood of Montague
King	Worley
Latham	Young
Lemens	Youngblood
Leonard	

## Present—Not Voting

Knetsch

Roane

## Absent

Adamson	Greathouse
Bradford	Hill
Butler of Brazos	Jones of Atascosa
Caldwell	Lange
Crossley	Lanning
Davison of Fisher	Leath
Dunlap of Kleberg	Luker
Fitzwater	Quinn
Ford	Riddle
Gray	Roach of Hunt

Roark	Scarborough
Rogers	Westfall

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

## SENATE BILL NO. 520 ON SECOND READING

Mr. Spears moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 520 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Adkins	Hanna
Aikin	Hardin
Alexander	Harris of Archer
Alsup	Harris of Dallas
Ash	Hartzog
Atchison	Head
Beck	Herzik
Bergman	Hodges
Bourne	Hofheinz
Bradbury	Holland
Broyles	Hoskins
Burton	Howard
Butler of Karnes	Huddleston
Cagle	Hunter
Calvert	Hyder
Canon	Jackson
Celaya	James
Clayton	Jefferson
Collins	Jones of Atascosa
Colquitt	Jones of Falls
Colson	Jones of Runnels
Cooper	Jones of Shelby
Cowley	Jones of Wise
Craddock	Keefe
Daniel	King
Davisson	Knetsch
of Eastland	Lange
Dickison	Lanning
Dunagan	Latham
Dunlap of Hays	Leath
Dwyer	Lemens
England	Leonard
Fain	Lindsey
Fisher	Lotief
Fox	Lucas
Frazer	Mauritz
Fuchs	McCalla
Gibson	McConnell
Glass	McKee
Good	Moffett
Graves	Moore
Gray	Morris
Hankamer	Morrison

Morse	Smith
Newton	Spears
Nicholson	Stanfield
Olsen	Steward
Padgett	Stinson
Palmer	Stovall
Patterson	Tarwater
Payne	Tennyson
Petsch	Thornton
Pope	Tillery
Reader	Venable
Reed of Dallas	Walker
Roach of Angelina	Wells
Roach of Hunt	Westfall
Roane	Wood of Harrison
Roberts	Wood of Montague
Russell	Worley
Rutta	Young
Settle	Youngblood
Shofner	

## Present—Not Voting

Reed of Bowie	Waggoner
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## Absent

Adamson	Greathouse
Bradford	Hill
Butler of Brazos	Hunt
Caldwell	Luker
Crossley	Quinn
Davison of Fisher	Riddle
Dunlap of Kleberg	Roark
Fitzwater	Rogers
Ford	Scarborough

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 520, A bill to be entitled "An Act amending the subdivision of Article 199, Revised Civil Statutes of 1925, relating to the District Courts of Bexar County, being the subdivision identified by the numbers 37th, 45th, 57th, 73rd, 94th, so as to make such subdivision apply only to the district courts of the 37th, 45th, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 520 ON THIRD READING

The Chair then laid Senate Bill No. 520 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—124

Adkins	Jones of Runnels
Aikin	Jones of Shelby
Alexander	Jones of Wise
Alsup	Keefe
Ash	King
Atchison	Knetsch
Beck	Lange
Bergman	Lanning
Bradbury	Latham
Broyles	Leath
Burton	Lemens
Butler of Karnes	Leonard
Cagle	Lindsey
Calvert	Lotief
Canon	Lucas
Celaya	Mauritz
Clayton	McCalla
Collins	McConnell
Colquitt	McKee
Colson	Moffett
Cooper	Moore
Cowley	Morris
Craddock	Morrison
Daniel	Morse
Davison of Fisher	Newton
Davison of Eastland	Nicholson
Dickison	Olsen
Dunagan	Padgett
Dunlap of Hays	Palmer
Dwyer	Patterson
England	Payne
Fain	Petsch
Fisher	Pope
Fox	Reader
Frazer	Reed of Dallas
Fuchs	Roach of Angelina
Gibson	Roach of Hunt
Glass	Roane
Good	Roberts
Graves	Russell
Gray	Rutta
Greathouse	Settle
Hankamer	Shofner
Hanna	Smith
Hardin	Spears
Harris of Archer	Stanfield
Harris of Dallas	Steward
Hartzog	Stinson
Head	Stovall
Herzik	Tarwater
Hodges	Tennyson
Hofheinz	Thornton
Holland	Tillery
Hoskins	Venable
Howard	Waggoner
Huddleston	Walker
Hunter	Wells
Hyder	Westfall
Jackson	Wood of Harrison
James	Wood of Montague
Jefferson	Worley
Jones of Falls	Youngblood

## Nays—1

Crossley
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## Present—Not Voting

Reed of Bowie	Young
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## Absent

Adamson	Hunt
Bourne	Jones of Atascosa
Bradford	Luker
Butler of Brazos	Quinn
Caldwell	Riddle
Dunlap of Kleberg	Roark
Fitzwater	Rogers
Ford	Scarborough
Hill	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

## HOUSE BILL NO. 985 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 985, A bill to be entitled "An Act fixing the fees and salary of the official shorthand reporter of the County Court of Jefferson County at Law, Jefferson County, Texas, and providing the manner of payment; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 985 ON THIRD READING

Mr. McKee moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 985 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—123

Adkins	Celaya
Aikin	Clayton
Alexander	Collins
Alsup	Colquitt
Ash	Colson
Atchison	Cooper
Beck	Cowley
Bergman	Craddock
Bourne	Daniel
Bradbury	Davisson
Broyles	of Eastland
Burton	Dickison
Butler of Karnes	Dunagan
Cagle	Dunlap of Hays
Calvert	Dwyer
Canon	England

Fain
Fisher
Fox
Frazer
Fuchs
Gibson
Glass
Good
Graves
Gray
Greathouse
Hankamer
Hanna
Hardin
Harris of Archer
Harris of Dallas
Hartzog
Head
Herzik
Hodges
Hofheinz
Hoskins
Howard
Huddleston
Hunt
Hunter
Hyder
Jackson
James
Jefferson
Jones of Falls
Jones of Runnels
Jones of Shelby
Jones of Wise
Keefe
King
Knetsch
Lange
Lanning
Latham
Leath
Lemens
Leonard
Lindsey
Lotief
Lucas

Mauritz
McCalla
McConnell
McKee
Moffett
Moore
Morris
Morrison
Morse
Newton
Nicholson
Olsen
Padgett
Palmer
Patterson
Payne
Petsch
Reader
Reed of Dallas
Roach of Angelina
Roach of Hunt
Roberts
Russell
Rutta
Settle
Shofner
Smith
Spears
Stanfield
Steward
Stinson
Stovall
Tarwater
Tennyson
Thornton
Tillery
Venable
Waggoner
Walker
Wells
Westfall
Wood of Harrison
Wood of Montague
Worley
Young
Youngblood

## Present—Not Voting

Reed of Bowie
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## Absent

Adamson	Holland
Bradford	Jones of Atascosa
Butler of Brazos	Luker
Caldwell	Pope
Crossley	Quinn
Davison of Fisher	Riddle
Dunlap of Kleberg	Roane
Fitzwater	Roark
Ford	Rogers
Hill	Scarborough

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid House Bill No. 985 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—125

Adkins	Hunter
Aikin	Hyder
Alexander	Jackson
Alsup	James
Ash	Jefferson
Atchison	Jones of Atascosa
Beck	Jones of Falls
Bergman	Jones of Runnels
Bourne	Jones of Shelby
Bradbury	Jones of Wise
Broyles	Keefe
Burton	Knetsch
Butler of Karnes	Lange
Cagle	Lanning
Calvert	Latham
Canon	Leath
Celaya	Lemens
Clayton	Lindsey
Collins	Lotief
Colquitt	Lucas
Colson	Mauritz
Cooper	McCalla
Cowley	McConnell
Craddock	McKee
Crossley	Moffett
Daniel	Moore
Davisson	Morrison
of Eastland	Morse
Dickison	Newton
Dunagan	Nicholson
Dunlap of Hays	Olsen
Dwyer	Padgett
England	Palmer
Fain	Patterson
Fisher	Payne
Fox	Petsch
Frazer	Pope
Fuchs	Reader
Gibson	Reed of Dallas
Glass	Roach of Angelina
Good	Roach of Hunt
Graves	Roane
Gray	Roberts
Greathouse	Russell
Hankamer	Rutta
Hanna	Settle
Hardin	Shofner
Harris of Archer	Smith
Harris of Dallas	Spears
Hartzog	Stanfield
Head	Steward
Herzik	Stinson
Hodges	Stovall
Hofheinz	Tarwater
Holland	Tennyson
Hoskins	Thornton
Howard	Tillery
Huddleston	Venable
Hunt	Waggoner

Walker	Wood of Montague
Wells	Worley
Westfall	Young
Wood of Harrison	Youngblood

## Present—Not Voting

Reed of Bowie

## Absent

Adamson	King
Bradford	Leonard
Butler of Brazos	Luker
Caldwell	Morris
Davison of Fisher	Quinn
Dunlap of Kleberg	Riddle
Fitzwater	Roark
Ford	Rogers
Hill	Scarborough

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

## SENATE BILL NO. 285 ON SECOND READING

Mr. Celaya moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 285 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—123

Adkins	Davisson
Aikin	of Eastland
Alexander	Dickison
Alsup	Dunagan
Ash	Dunlap of Hays
Atchison	Dwyer
Beck	England
Bergman	Fain
Bourne	Fisher
Bradbury	Fox
Bradford	Frazer
Broyles	Fuchs
Burton	Gibson
Butler of Karnes	Glass
Cagle	Good
Calvert	Gray
Canon	Greathouse
Celaya	Hankamer
Clayton	Hanna
Collins	Hardin
Colquitt	Harris of Dallas
Colson	Hartzog
Cooper	Head
Cowley	Herzik
Craddock	Hodges
Crossley	Hofheinz
Daniel	Holland



Hoskins	Padgett
Howard	Palmer
Huddleston	Patterson
Hunt	Payne
Hunter	Petsch
Hyder	Reader
Jackson	Reed of Bowie
James	Reed of Dallas
Jefferson	Roach of Angelina
Jones of Atascosa	Roach of Hunt
Jones of Falls	Roberts
Jones of Runnels	Russell
Jones of Shelby	Rutta
Jones of Wise	Settle
Keefe	Shofner
Knetsch	Smith
Lange	Spears
Lanning	Stanfield
Lemens	Steward
Leonard	Stinson
Lindsey	Stovall
Lotief	Tarwater
Lucas	Tennyson
Mauritz	Thornton
McCalla	Tillery
McConnell	Venable
McKee	Waggoner
Moffett	Walker
Moore	Wells
Morris	Westfall
Morrison	Wood of Harrison
Morse	Wood of Montague
Newton	Worley
Nicholson	Young
Olsen	

## Absent

Adamson	Latham
Butler of Brazos	Leath
Caldwell	Luker
Davison of Fisher	Pope
Dunlap of Kleberg	Quinn
Fitzwater	Riddle
Ford	Roane
Graves	Roark
Harris of Archer	Rogers
Hill	Scarborough
King	Youngblood

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 285, A bill to be entitled "An Act declaring that it was not the intention of the Forty-third Legislature of Texas in enacting Senate Bill No. 546, passed at the Regular Session of the Forty-third Legislature, or in enacting Section 7 of Senate Bill No. 546, passed at the Regular Session of the Forty-third Legis-

lature, to provide that there should never be more than \$466,000, par value, of bonds issued out of the \$950,000, etc."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 285 ON THIRD READING

The Chair then laid Senate Bill No. 285 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Adkins	Herzik
Aikin	Hodges
Alexander	Hofheinz
Alsup	Hoskins
Ash	Howard
Atchison	Huddleston
Beck	Hunt
Bergman	Hunter
Bourne	Hyder
Bradbury	Jackson
Bradford	James
Broyles	Jefferson
Burton	Jones of Falls
Butler of Karnes	Jones of Runnels
Cagle	Jones of Shelby
Calvert	Jones of Wise
Canon	Keefe
Celaya	Lange
Clayton	Lanning
Collins	Latham
Colquitt	Lemens
Colson	Leonard
Cooper	Lindsey
Craddock	Lotief
Daniel	Lucas
Davisson	Mauritz
of Eastland	McCalla
Dickison	McConnell
Dunagan	McKee
Dunlap of Hays	Moffett
England	Moore
Fain	Morris
Fisher	Morrison
Fox	Morse
Frazer	Newton
Fuchs	Nicholson
Gibson	Olsen
Glass	Padgett
Good	Palmer
Graves	Patterson
Gray	Payne
Greathouse	Petsch
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Hardin	Roach of Angelina
Harris of Archer	Roach of Hunt
Harris of Dallas	Roane
Hartzog	Roberts
Head	Russell

Rutta	Tennyson
Scarborough	Thornton
Settle	Tillery
Shofner	Venable
Smith	Waggoner
Spears	Wells
Stanfield	Westfall
Steward	Wood of Harrison
Stinson	Wood of Montague
Stovall	Worley
Tarwater	Young

## Present—Not Voting

Knetsch

## Absent

Adamson	Jones of Atascosa
Butler of Brazos	King
Caldwell	Leath
Cowley	Luker
Crossley	Pope
Davison of Fisher	Quinn
Dunlap of Kleberg	Reader
Dwyer	Riddle
Fitzwater	Roark
Ford	Rogers
Hill	Walker
Holland	Youngblood

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

## SENATE BILL NO. 476 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 476, A bill to be entitled "An Act conferring additional powers upon navigation districts, authorizing navigation districts to charge tolls for the use of its waterways by persons using them for commercial purposes, which waterways are not owned or constructed by the United States as a navigation project; providing that such districts may lease its rights of way, spoil basins and other lands for oil, gas and mineral development, providing it does not interfere with the use or development of the project for navigation, and providing the procedure therefor; providing for the sale of any surplus lands owned by such navigation district and prescribing the procedure therefor; providing that such districts may construct turning basins, storage basins, and yacht basins and other facilities; providing this Act shall be cumulative of all other laws upon the subject of navigation;

providing that if any part of this Act is held unconstitutional, it will not affect the remainder, and declaring an emergency."

The bill was read second time.

Mr. Celaya offered the following amendment to the bill:

Amend Senate Bill No. 476, said amendment to be known as subsection (e) immediately following subsection (d) of Section 1:

"Such districts shall be controlled by Sections 18, 19, 20, 21 and 22 of Acts 1932, Forty-second Legislature, Third Called Session, page 63, Chapter 27."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

Senate Bill No. 476 was then passed to third reading.

## SENATE BILL NO. 476 ON THIRD READING

Mr. Celaya moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 476 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—126

Adkins	Dickison
Aikin	Dunagan
Alexander	Dunlap of Hays
Alsup	Dwyer
Ash	England
Atchison	Fain
Beck	Fisher
Bergman	Fox
Bourne	Frazer
Bradbury	Fuchs
Bradford	Gibson
Broyles	Glass
Burton	Good
Butler of Karnes	Gray
Cagle	Greathouse
Calvert	Hankamer
Canon	Hanna
Celaya	Hardin
Clayton	Harris of Archer
Collins	Harris of Dallas
Colquitt	Hartzog
Colson	Head
Cooper	Herzik
Cowley	Hodges
Craddock	Hofheinz
Daniel	Holland
Davisson	Hoskins
of Eastland	Howard

Huddleston	Palmer
Hunt	Patterson
Hunter	Payne
Hyder	Petsch
Jackson	Pope
James	Reader
Jefferson	Reed of Bowie
Jones of Atascosa	Reed of Dallas
Jones of Falls	Roach of Angelina
Jones of Runnels	Roach of Hunt
Jones of Shelby	Roane
Jones of Wise	Roberts
Keefe	Russell
Knetsch	Rutta
Lange	Settle
Lanning	Shofner
Latham	Smith
Leath	Stanfield
Lemens	Steward
Leonard	Stinson
Lindsey	Stovall
Lotief	Tarwater
Lucas	Tennyson
Mauritz	Thornton
McCalla	Tillery
McConnell	Venable
McKee	Waggoner
Moffett	Walker
Moore	Wells
Morris	Westfall
Morrison	Wood of Harrison
Morse	Wood of Montague
Newton	Worley
Nicholson	Young
Olsen	Youngblood
Padgett	

## Absent

Adamson	Hill
Butler of Brazos	King
Caldwell	Luker
Crossley	Quinn
Davison of Fisher	Riddle
Dunlap of Kleberg	Roark
Fitzwater	Rogers
Ford	Scarborough
Graves	Spears

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid Senate Bill No. 476 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—124

Adkins	Beck
Aikin	Bergman
Alexander	Bourne
Alsup	Bradbury
Ash	Bradford
Atchison	Broyles

Burton	Jones of Wise
Butler of Karnes	Keefe
Cagle	Lanning
Calvert	Latham
Canon	Leath
Celaya	Lemens
Clayton	Leonard
Collins	Lindsey
Colquitt	Lotief
Colson	Lucas
Cooper	Mauritz
Cowley	McCalla
Craddock	McConnell
Crossley	McKee
Daniel	Moffett
Davisson	Moore
of Eastland	Morris
Dickison	Morrison
Dunagan	Morse
Dunlap of Hays	Newton
Dunlap of Kleberg	Nicholson
Dwyer	Olsen
England	Padgett
Fain	Palmer
Fisher	Patterson
Fox	Payne
Frazer	Petsch
Fuchs	Pope
Gibson	Reader
Glass	Reed of Dallas
Good	Roach of Angelina
Graves	Roach of Hunt
Gray	Roane
Greathouse	Roberts
Hankamer	Russell
Hanna	Rutta
Hardin	Settle
Harris of Archer	Shofner
Harris of Dallas	Smith
Hartzog	Stanfield
Head	Steward
Herzik	Stinson
Hodges	Stovall
Hofheinz	Tarwater
Holland	Tennyson
Hoskins	Thornton
Howard	Tillery
Huddleston	Venable
Hunter	Waggoner
Hyder	Walker
Jackson	Wells
James	Westfall
Jefferson	Wood of Harrison
Jones of Atascosa	Wood of Montague
Jones of Falls	Worley
Jones of Runnels	Youngblood
Jones of Shelby	

## Present—Not Voting

Knetsch	Reed of Bowie
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## Absent

Adamson	Fitzwater
Butler of Brazos	Ford
Caldwell	Hill
Davison of Fisher	Hunt

King	Roark
Lange	Rogers
Luker	Scarborough
Quinn	Spears
Riddle	Young

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

## SENATE BILL NO. 401 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 401, A bill to be entitled "An Act to prohibit the use of certain words in the name of corporations hereafter incorporated under the laws of this State, providing that all charters of companies containing any of such words in their corporate name shall be canceled and forfeited unless an amendment is filed in the manner provided by law or certain permission secured to use said name within ninety (90) days after this Act becomes effective, and declaring an emergency."

The bill was read second time.

Mr. Spears offered the following amendment to the bill:

Amend Senate Bill No. 401, page 1, Section 1, line 26, by inserting after the words "World War" the following: "Veterans of Foreign Wars of the United States or the United Spanish War Veterans."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

Senate Bill No. 401 was then passed to third reading.

## SENATE BILL NO. 401 ON THIRD READING

Mr. Cagle moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 401 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—124

Adkins	Alsup
Aikin	Ash
Alexander	Atchison

Beck	Jones of Shelby
Bergman	Jones of Wise
Bourne	Keefe
Bradbury	Lanning
Bradford	Latham
Broyles	Leath
Burton	Lemens
Butler of Karnes	Leonard
Cagle	Lindsey
Calvert	Lotief
Canon	Lucas
Celaya	Mauritz
Clayton	McCalla
Collins	McConnell
Colquitt	McKee
Colson	Moffett
Cooper	Moore
Cowley	Morris
Craddock	Morrison
Daniel	Morse
Davison of Fisher	Newton
Davisson	Nicholson
of Eastland	Olsen
Dickison	Padgett
Dunagan	Palmer
Dunlap of Hays	Patterson
Dwyer	Payne
England	Petsch
Fain	Pope
Fisher	Quinn
Fox	Reader
Frazer	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Roach of Angelina
Glass	Roach of Hunt
Graves	Roberts
Gray	Russell
Greathouse	Rutta
Hankamer	Settle
Hanna	Shofner
Hardin	Smith
Harris of Archer	Spears
Harris of Dallas	Steward
Hartzog	Stinson
Head	Stovall
Herzik	Tarwater
Hodges	Tennyson
Hofheinz	Thornton
Holland	Tillery
Hoskins	Venable
Howard	Waggoner
Huddleston	Walker
Hunter	Wells
Hyder	Westfall
Jackson	Wood of Harrison
James	Wood of Montague
Jefferson	Worley
Jones of Atascosa	Young
Jones of Falls	Youngblood
Jones of Runnels	

Nays—2

Roane

Stanfield

Present—Not Voting

Knetsch

## Absent

Adamson	Hunt
Butler of Brazos	King
Caldwell	Lange
Crossley	Luker
Dunlap of Kleberg	Riddle
Fitzwater	Roark
Ford	Rogers
Good	Scarborough
Hill	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid Senate Bill No. 401 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—127

Adkins	Graves
Aikin	Gray
Alexander	Greathouse
Alsup	Hankamer
Ash	Hardin
Atchison	Harris of Archer
Beck	Harris of Dallas
Bergman	Hartzog
Bourne	Head
Bradbury	Herzik
Bradford	Hodges
Broyles	Hofheinz
Burton	Holland
Butler of Karnes	Hoskins
Cagle	Howard
Calvert	Huddleston
Canon	Hunt
Celaya	Hunter
Clayton	Hyder
Collins	Jackson
Colquitt	James
Colson	Jefferson
Cooper	Jones of Atascosa
Cowley	Jones of Falls
Craddock	Jones of Runnels
Daniel	Jones of Shelby
Davison of Fisher	Jones of Wise
Davisson	Keefe
of Eastland	Lange
Dickison	Lanning
Dunagan	Latham
Dunlap of Hays	Leath
Dwyer	Lemens
England	Leonard
Fain	Lindsey
Fisher	Lotief
Fox	Lucas
Frazer	Mauritz
Fuchs	McCalla
Gibson	McConnell
Glass	McKee
Good	Moffett

Moore	Settle
Morris	Shofner
Morrison	Smith
Morse	Spears
Newton	Stanfield
Nicholson	Steward
Olsen	Stinson
Padgett	Stovall
Palmer	Tarwater
Patterson	Tennyson
Payne	Thornton
Petsch	Tillery
Pope	Venable
Quinn	Waggoner
Reader	Walker
Reed of Bowie	Wells
Reed of Dallas	Westfall
Roach of Angelina	Wood of Harrison
Roach of Hunt	Wood of Montague
Roberts	Worley
Russell	Young
Rutta	Youngblood

## Nays—2

Knetsch	Roane
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## Absent

Adamson	Hill
Butler of Brazos	King
Caldwell	Luker
Crossley	Riddle
Dunlap of Kleberg	Roark
Fitzwater	Rogers
Ford	Scarborough
Hanna	

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

## SENATE BILL NO. 455 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading.

S. B. No. 455, A bill to be entitled "An Act giving authority to the Fitzpatrick Construction Company permission to sue the State Highway Department of Texas, and the State of Texas, in an amount not to exceed four thousand six hundred thirty-five dollars and eleven cents (\$4,635.11) for an alleged breach of contract by said Department, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 455 ON THIRD READING

Mr. Russell moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that Senate Bill No. 455 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—123

Adkins	Hunter
Aikin	Hyder
Alexander	Jackson
Alsup	James
Ash	Jefferson
Atchison	Jones of Atascosa
Beck	Jones of Falls
Bergman	Jones of Runnels
Bourne	Jones of Shelby
Bradbury	Jones of Wise
Bradford	Keefe
Broyles	Knetsch
Burton	Lanning
Butler of Karnes	Latham
Cagle	Leath
Calvert	Lemens
Canon	Leonard
Clayton	Lindsey
Collins	Lotief
Colquitt	Lucas
Colson	Mauritz
Cooper	Moffett
Cowley	Moore
Craddock	Morris
Daniel	Morrison
Davison of Fisher	Morse
Davisson	Newton
of Eastland	Nicholson
Dickison	Olsen
Dunagan	Padgett
Dunlap of Hays	Palmer
Dwyer	Patterson
England	Payne
Fain	Petsch
Fisher	Quinn
Fox	Reader
Frazer	Reed of Bowie
Gibson	Reed of Dallas
Glass	Roach of Angelina
Good	Roach of Hunt
Graves	Roberts
Gray	Rogers
Greathouse	Russell
Hankamer	Rutta
Hanna	Settle
Hardin	Shofner
Harris of Archer	Smith
Harris of Dallas	Spears
Hartzog	Stanfield
Head	Steward
Herzik	Stinson
Hodges	Stovall
Hofheinz	Tarwater
Holland	Tennyson
Hoskins	Thornton
Howard	Tillery
Huddleston	Venable
Hunt	Waggoner

Walker	Wood of Montague
Wells	Worley
Westfall	Young
Wood of Harrison	Youngblood

## Nays—1

McCalla

## Absent

Adamson	King
Butler of Brazos	Lange
Caldwell	Luker
Celaya	McConnell
Crossley	McKee
Dunlap of Kleberg	Pope
Fitzwater	Riddle
Ford	Roane
Fuchs	Roark
Hill	Scarborough

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid Senate Bill No. 455 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—120

Adkins	Fain
Aikin	Fisher
Alexander	Fox
Alsup	Frazer
Ash	Fuchs
Atchison	Gibson
Beck	Glass
Bergman	Good
Bourne	Graves
Bradbury	Gray
Bradford	Greathouse
Broyles	Hankamer
Burton	Hanna
Butler of Karnes	Hardin
Cagle	Harris of Archer
Calvert	Harris of Dallas
Canon	Hartzog
Clayton	Head
Collins	Herzik
Colquitt	Hodges
Colson	Hofheinz
Cooper	Holland
Cowley	Hoskins
Craddock	Howard
Daniel	Huddleston
Davison of Fisher	Hunter
Davisson	Hyder
of Eastland	Jackson
Dickison	James
Dunagan	Jefferson
Dunlap of Hays	Jones of Atascosa
Dwyer	Jones of Falls
England	Jones of Runnels

Jones of Shelby	Reader
Jones of Wise	Reed of Bowie
Keefe	Reed of Dallas
Knetsch	Roach of Angelina
Lange	Roane
Lanning	Roberts
Latham	Russell
Lemens	Settle
Leonard	Shofner
Lindsey	Smith
Lotief	Spears
Lucas	Stanfield
McConnell	Steward
McKee	Stinson
Moffett	Stovall
Moore	Tarwater
Morris	Tennyson
Morrison	Thornton
Morse	Tillery
Newton	Venable
Nicholson	Waggoner
Olsen	Walker
Padgett	Wells
Palmer	Wood of Harrison
Patterson	Wood of Montague
Payne	Worley
Petsch	Young
Quinn	

Nays—2

McCalla Rutta

Present—Not Voting

Crossley

Absent

Adamson	Luker
Butler of Brazos	Mauritz
Caldwell	Pope
Celaya	Riddle
Dunlap of Kleberg	Roach of Hunt
Fitzwater	Roark
Ford	Rogers
Hill	Scarborough
Hunt	Westfall
King	Youngblood
Leath	

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

#### HOUSE BILL NO. 757 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 757, A bill to be entitled "An Act to amend Chapter 2, of Title 116, of the Revised Civil Statutes of Texas, 1925, by adding to said chapter a new article to be known as 'Article 6711-a,' providing that upon

application of ten or more resident citizens of counties of the State of Texas having not less than 34,000 nor more than 35,000 population, according to the last Federal Census, or one person living within an enclosure of two thousand (2,000) acres or more in said counties, the commissioners court of said county shall open a road through said enclosure of land, or between different persons or owners of land, or along any section line, or along any survey line, or along any survey subdivision line, where said land is adjacent or contiguous to public rivers, lakes, or bays in counties of the State of Texas having not less than 34,000 nor more than 35,000 population, according to the last Federal Census, etc., and declaring an emergency."

The bill was read second time.

Mr. Keefe offered the following amendments to the bill:

Amend House Bill No. 757 by changing the figures and words "two thousand (2,000) acres" to read "five hundred (500) acres."

Amend House Bill No. 757 by adding a new section to be known as 4-b, which shall read as follows:

"It is expressly provided, however, that the provisions of this Act shall not apply to private club lakes or to private lakes which are not public, according to law, and the terms of this Act. Moreover, no public road shall be built within two hundred (200) feet of any dwelling place located within two hundred (200) feet of the bank of any public river or lake."

Amend House Bill No. 757 by changing the words and figures "34,000 nor more than 35,000" wherever they appear in the bill, to read "34,500 nor more than 34,750."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 757 was then passed to engrossment.

#### HOUSE BILL NO. 757 ON THIRD READING

Mr. Keefe moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that House Bill No. 757 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—121

Aikin	Hyder
Alexander	Jackson
Alsup	James
Ash	Jefferson
Atchison	Jones of Atascosa
Bergman	Jones of Falls
Bourne	Jones of Runnels
Bradbury	Jones of Shelby
Bradford	Jones of Wise
Burton	Keefe
Butler of Karnes	Knetsch
Cagle	Lange
Calvert	Lanning
Canon	Latham
Celaya	Lemens
Clayton	Leonard
Collins	Lindsey
Colquitt	Lotief
Colson	Lucas
Cooper	Mauritz
Cowley	McCalla
Craddock	McConnell
Crossley	Moffett
Daniel	Moore
Davison of Fisher	Morris
Davison	Morrison
of Eastland	Morse
Dickison	Newton
Dunagan	Nicholson
Dunlap of Hays	Olsen
Dwyer	Padgett
England	Palmer
Fain	Patterson
Fisher	Petsch
Fox	Pope
Frazer	Quinn
Fuchs	Reader
Gibson	Reed of Bowie
Glass	Reed of Dallas
Good	Roach of Angelina
Graves	Roach of Hunt
Gray	Roberts
Greathouse	Russell
Hankamer	Rutta
Hanna	Settle
Hardin	Shofner
Harris of Archer	Smith
Harris of Dallas	Spears
Head	Stanfield
Herzik	Steward
Hodges	Stinson
Hofheinz	Stovall
Holland	Thornton
Hoskins	Tillery
Howard	Venable
Huddleston	Waggoner
Hunt	Walker
Hunter	Wells

Westfall	Worley
Wood of Harrison	Young
Wood of Montague	Youngblood

## Nays—1

Hartzog

## Absent

Adamson	Leath
Adkins	Luker
Beck	McKee
Broyles	Payne
Butler of Brazos	Riddle
Caldwell	Roane
Dunlap of Kleberg	Roark
Fitzwater	Rogers
Ford	Scarborough
Hill	Tarwater
King	Tennyson

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid House Bill No. 757 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—115

Adkins	Fain
Aikin	Fisher
Alexander	Fox
Alsup	Frazer
Ash	Fuchs
Atchison	Gibson
Beck	Glass
Bergman	Good
Bourne	Graves
Bradbury	Gray
Bradford	Greathouse
Broyles	Hankamer
Burton	Hanna
Butler of Karnes	Hardin
Cagle	Harris of Archer
Calvert	Harris of Dallas
Canon	Head
Celaya	Hodges
Clayton	Hofheinz
Colson	Hoskins
Cooper	Howard
Cowley	Huddleston
Craddock	Hunter
Crossley	Hyder
Daniel	Jackson
Davison of Fisher	James
Davison	Jefferson
of Eastland	Jones of Atascosa
Dickison	Jones of Falls
Dunagan	Jones of Runnels
Dunlap of Hays	Jones of Shelby
Dwyer	Jones of Wise
England	Keefe



Lange	Reed of Dallas
Lanning	Roach of Angelina
Latham	Roach of Hunt
Lemens	Roberts
Leonard	Russell
Lindsey	Rutta
Lotief	Settle
Lucas	Shofner
Mauritz	Smith
McConnell	Stanfield
Moffett	Steward
Moore	Stinson
Morris	Stovall
Morrison	Tennyson
Morse	Thornton
Newton	Tillery
Nicholson	Venable
Olsen	Waggoner
Padgett	Walker
Palmer	Wells
Patterson	Westfall
Petsch	Wood of Harrison
Pope	Wood of Montague
Quinn	Worley
Reed of Bowie	Youngblood

## Nays—4

Collins	Knetsch
Hartzog	McCalla

## Present—Not Voting

Roane

## Absent

Adamson	Leath
Butler of Brazos	Luker
Caldwell	McKee
Colquitt	Payne
Dunlap of Kleberg	Reader
Fitzwater	Riddle
Ford	Roark
Herzik	Rogers
Hill	Scarborough
Holland	Spears
Hunt	Tarwater
King	Young

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

HOUSE BILL NO. 814 ON SECOND  
READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 814, A bill to be entitled "An Act repealing Article 941, Penal Code of Texas, 1925, as amended by Acts, 1929, Forty-first Legislature, Chapter 119, and as further amended by Acts, 1930, Forty-first Legislature, Fifth Called Session, Chapter 13, Section 1, and declaring an emergency."

The bill was read second time.

Mr. Wood of Harrison offered the following committee amendment to the bill:

Amend House Bill No. 814 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. It shall be unlawful for any person to place, set, use or drag any seine, net or other device for catching fish, other than the ordinary pole and line, light, spear or gig, casting rod and reel, artificial bait, trot-line, set line or cast net or minnow seine of not more than twenty feet in length, or bait trawl not more than ten (10) feet at the mouth, for catching bait, or to have in his possession any seine, net or trawl, without a permit issued by the Game, Fish and Oyster Commissioner, or by his authorized deputy, in or on any of the waters of any of the bays, streams, bayous, or passes of Nueces, Aransas and Refugio Counties as hereinafter described; within or on the waters of Oso Creek, Ingleside Cove, or within or on the waters of Copano Bay, lying west of a line running southeast from Mission Pass, at the entrance of Mission Bay, to a point on the west side of Live Oak Peninsula, known as Rattlesnake Point, except the waters of Swan Lake, during closed season on ducks, and the waters lying between a line running from Fish Point, on the northwest end of Live Oak Peninsula, to Newcomb Point, said line being the west side of Copano Bay Causeway, and a line running from Tin Can Point, on the northeast end of Live Oak Peninsula, to the west point of Black Jack Peninsula, at the mouth of St. Charles Bay; in or on the waters of St. Charles Bay, lying south of a line extending from Sharp's Point to Meeley-Dedrick Point; in or on the waters of Aransas Bay, lying south of a line running from Harbor Island to St. Joseph Island, said line running east and west and crossing the southern extremity of Lydia Ann Island and Aransas Channel, leading to the Gulf of Mexico; in or on the waters of Red Fish Bay, lying between a line on the south, described as running east from the mainland to the north extremity of Ransom Island, thence with the east shore line of Ransom Island to Ransom Point, thence in a

northeasterly direction to the south end of Morris and Cummings Cut, thence east to Harbor Island at a point one mile south of the Aransas Channel to Harbor Island, and a line on the north, described as beginning at a point on the mainland and running in an easterly direction with the line of the Old Harbor Terminal to a point at Corpus Christi Bayou at the eastern mouth thereof; Cedar Bayou, leading from Mesquite Bay to the Gulf of Mexico, North Pass or St. Joe Pass, Aransas Pass leading from Aransas Bay to the Gulf of Mexico, Corpus Christi Pass, leading from Corpus Christi Bay to the Gulf of Mexico, or the pass on the north of Laguna Madre, leading into Corpus Christi Bay, which pass shall be defined as beginning one-fourth of a mile southwest of Pita Island and running from said point to Flour Bluff in Nueces County, or in or on the waters within one mile of the passes herein mentioned, connecting the bays and tidal waters of this State with the Gulf of Mexico.

"Sec. 2. Provided that it shall be unlawful for any person to take or catch fish with any device, other than the ordinary pole and line, casting rod and reel, artificial bait, trot-line, shrimp trawl, set line or cast net or minnow seine of not more than twenty feet in length for catching bait, or to use a set net, trammel net, or strike net, the meshes of which shall not be less than one and one-half inches from knot to knot, in any of the tidal bays, streams, bayous, lakes, lagoons or inlets or parts of such tidal waters of Aransas, Nueces, and Refugio Counties not mentioned in Section 1 hereof, during the months of April, May and June of each year.

"Sec. 3. Any person who shall violate any of the provisions of this Article shall be deemed guilty of a misdemeanor, and on first conviction shall be fined in a sum of not less than twenty-five dollars (\$25), nor more than one hundred dollars (\$100), and on second or more convictions shall be fined in a sum of not less than one hundred dollars (\$100), nor more than two hundred dollars (\$200), and his fisherman's license or dealer's license, or both, shall be automatically cancelled and he shall not be entitled to receive another fisherman's license or dealer's

license for one year from the date of such conviction.

"Sec. 4. Provided that this Act shall not repeal any law or parts of laws except insofar as they apply to Nueces, Aransas and Refugio Counties. Provided that Article 941 of the Penal Code and all the amendments thereto are hereby repealed insofar as they apply to the waters of Nueces, Aransas, and Refugio Counties.

"Sec. 5. The fact that the recent investigation by the Committee of Salt Water Fisheries and Marine Taxation disclose that the blanket closing of our coastal waters to net fishing is not conducive to true conservation, and results in the waste of our natural edible marine resources; and the fact that both the sportsmen and the commercial fishermen of Nueces, Refugio, and Aransas Counties have entered into certain compromises which are reflected in the terms of this measure, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each house, be suspended, and it is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Pope offered the following amendment to the committee amendment:

Amend amendment to House Bill No. 814 by striking out Section 2 and renumbering succeeding sections.

The amendment was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

House Bill No. 814 was then passed to engrossment.

#### HOUSE BILL NO. 814 ON THIRD READING

Mr. Wood of Harrison moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 814 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Aikin  
Alexander

Alsup  
Ash

Atchison	Jones of Falls
Beck	Jones of Runnels
Bergman	Jones of Shelby
Bourne	Jones of Wise
Bradbury	Keefe
Bradford	Knetsch
Broyles	Lanning
Burton	Latham
Butler of Karnes	Leath
Cagle	Lemens
Calvert	Leonard
Canon	Lindsey
Celaya	Lotief
Clayton	Lucas
Collins	Mauritz
Colquitt	McCalla
Colson	McConnell
Cooper	McKee
Craddock	Moffett
Crossley	Moore
Daniel	Morris
Davison of Fisher	Morrison
Davisson	Morse
of Eastland	Newton
Dickison	Nicholson
Dunagan	Olsen
Dunlap of Hays	Padgett
Dunlap of Kleberg	Palmer
England	Patterson
Fain	Petsch
Fisher	Quinn
Fox	Reed of Bowie
Frazer	Reed of Dallas
Fuchs	Roach of Angelina
Gibson	Roach of Hunt
Glass	Roberts
Good	Russell
Gray	Rutta
Greathouse	Settle
Hankamer	Shofner
Hanna	Smith
Harris of Archer	Spears
Harris of Dallas	Stanfield
Hartzog	Steward
Head	Stinson
Hodges	Stovall
Hofheinz	Tarwater
Holland	Tennyson
Hoskins	Thornton
Howard	Tillery
Huddleston	Walker
Hunt	Wells
Hunter	Westfall
Hyder	Wood of Harrison
Jackson	Wood of Montague
James	Worley
Jefferson	Young
Jones of Atascosa	Youngblood

## Nays—1

Hardin

## Absent

Adamson	Cowley
Adkins	Dwyer
Butler of Brazos	Fitzwater
Caldwell	Ford

Graves	Reader
Herzik	Riddle
Hill	Roane
King	Roark
Lange	Rogers
Luker	Scarborough
Payne	Venable
Pope	Waggoner

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid House Bill No. 814 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—116

Aikin	Head
Alexander	Hodges
Alsup	Hofheinz
Ash	Holland
Atchison	Hoskins
Beck	Howard
Bergman	Huddleston
Bourne	Hunt
Bradbury	Hyder
Bradford	Jackson
Broyles	James
Burton	Jefferson
Butler of Karnes	Jones of Atascosa
Calvert	Jones of Falls
Canon	Jones of Runnels
Celaya	Jones of Shelby
Clayton	Jones of Wise
Collins	Keefe
Colquitt	Knetsch
Colson	Lanning
Cooper	Latham
Craddock	Lemens
Crossley	Lindsey
Daniel	Lotief
Davison	Lucas
of Eastland	Mauritz
Dickison	McCalla
Dunagan	McConnell
Dunlap of Hays	McKee
England	Moffett
Fain	Moore
Fisher	Morris
Fox	Morrison
Frazer	Morse
Fuchs	Newton
Gibson	Nicholson
Glass	Olsen
Good	Padgett
Gray	Palmer
Greathouse	Patterson
Hankamer	Petsch
Hanna	Pope
Harris of Archer	Quinn
Harris of Dallas	Reed of Bowie
Hartzog	Reed of Dallas

Roach of Angelina	Tennyson
Roach of Hunt	Thornton
Roberts	Tillery
Russell	Venable
Rutta	Waggoner
Settle	Walker
Shofner	Wells
Smith	Westfall
Spears	Wood of Harrison
Stanfield	Wood of Montague
Steward	Worley
Stinson	Young
Stovall	Youngblood
Tarwater	

Nays—1

Hardin

Present—Not Voting

Cagle

Absent

Adamson	Hunter
Adkins	King
Butler of Brazos	Lange
Caldwell	Leath
Cowley	Leonard
Davison of Fisher	Luker
Dunlap of Kleberg	Payne
Dwyer	Reader
Fitzwater	Riddle
Ford	Roane
Graves	Roark
Herzik	Rogers
Hill	Scarborough

Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

## NOTICE GIVEN

Mr. Quinn gave notice that he would, on the next legislative day, move to take up, for consideration at that time, House Bill No. 468, which bill was heretofore laid on the table subject to call.

## SENATE BILL NO. 224 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 224, A bill to be entitled "An Act to permit and authorize N. P. Turner, of San Antonio, Texas, to bring and prosecute an action against the State of Texas on a certain contract; fixing the time within which the same may be brought; fixing the venue thereof in Travis County, Texas; providing that any judgment recovered be paid from the State Highway Fund; providing for service

of citation, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 224 ON THIRD READING

Mr. Greathouse moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 224 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Aikin	Holland
Alexander	Hoskins
Alsup	Howard
Ash	Huddleston
Atchison	Hunt
Beck	Hunter
Bergman	Hyder
Bourne	Jackson
Bradbury	James
Bradford	Jones of Atascosa
Broyles	Jones of Falls
Burton	Jones of Runnels
Butler of Karnes	Jones of Shelby
Cagle	Jones of Wise
Calvert	Keefe
Canon	Knetsch
Clayton	Lanning
Collins	Latham
Colquitt	Lemens
Colson	Leonard
Cooper	Lindsey
Craddock	Lotief
Davison of Fisher	Lucas
Davisson	Mauritz
of Eastland	McCalla
Dickison	McConnell
Dunagan	Moffett
Dunlap of Hays	Moore
England	Morris
Fain	Morrison
Fisher	Morse
Fox	Newton
Frazer	Nicholson
Fuchs	Olsen
Gibson	Padgett
Glass	Palmer
Good	Patterson
Gray	Payne
Greathouse	Petsch
Hankamer	Pope
Hanna	Reed of Bowie
Hardin	Reed of Dallas
Harris of Archer	Roach of Angelina
Harris of Dallas	Roach of Hunt
Hartzog	Roberts
Head	Russell
Hodges	Rutta
Hofheinz	Settle

Shofner	Venable
Smith	Waggoner
Spears	Walker
Stanfield	Wells
Steward	Westfall
Stinson	Wood of Harrison
Tarwater	Wood of Montague
Tennyson	Worley
Thornton	Youngblood
Tillery	

## Absent

Adamson	Jefferson
Adkins	King
Butler of Brazos	Lange
Caldwell	Leath
Celaya	Luker
Cowley	McKee
Crossley	Quinn
Daniel	Reader
Dunlap of Kleberg	Riddle
Dwyer	Roane
Fitzwater	Roark
Ford	Rogers
Graves	Scarborough
Herzik	Stovall
Hill	Young

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

The Chair then laid Senate Bill No. 224 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—107

Alsup	Dickison
Ash	Dunagan
Atchison	Dunlap of Hays
Beck	England
Bergman	Fain
Bourne	Fisher
Bradbury	Fox
Bradford	Fuchs
Broyles	Gibson
Burton	Glass
Butler of Karnes	Good
Cagle	Gray
Calvert	Greathouse
Canon	Hankamer
Celaya	Hanna
Clayton	Hardin
Collins	Harris of Archer
Colquitt	Harris of Dallas
Colson	Hartzog
Cooper	Head
Craddock	Hodges
Daniel	Hofheinz
Davison of Fisher	Holland
Davison	Hoskins
of Eastland	Howard

Huddleston	Palmer
Hunter	Patterson
Hyder	Payne
Jackson	Petsch
James	Pope
Jefferson	Reed of Bowie
Jones of Atascosa	Reed of Dallas
Jones of Falls	Roach of Hunt
Jones of Runnels	Roberts
Jones of Shelby	Russell
Jones of Wise	Rutta
Knetsch	Settle
Lanning	Shofner
Latham	Smith
Leath	Spears
Lemens	Stanfield
Leonard	Steward
Lotief	Stinson
Lucas	Tennyson
Mauritz	Thornton
McConnell	Tillery
Moore	Waggoner
Morris	Walker
Morrison	Wells
Morse	Westfall
Newton	Wood of Harrison
Nicholson	Wood of Montague
Olsen	Worley
Padgett	Youngblood

## Nays—3

Aikin	Moffett
McCalla	

## Absent

Adamson	King
Adkins	Lange
Alexander	Lindsey
Butler of Brazos	Luker
Caldwell	McKee
Cowley	Quinn
Crossley	Reader
Dunlap of Kleberg	Riddle
Dwyer	Roach of Angelina
Fitzwater	Roane
Ford	Roark
Frazer	Rogers
Graves	Scarborough
Herzik	Stovall
Hill	Tarwater
Hunt	Venable
Keefe	Young

## Absent—Excused

Davis	McFarland
Duvall	McKinney
Farmer	

## HOUSE BILL NO. 990 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 990, A bill to be entitled "An Act requiring a hunting license

of all those over seventeen years of age hunting in certain counties; requiring a fishing license of all those over seventeen years of age fishing in certain counties; fixing the fees for said licenses and the fee to be retained by the collecting officer; etc., and declaring an emergency."

The bill was read second time.

Mr. Fox offered the following amendment to the bill:

Amend House Bill No. 990 by striking out the words "Burnet and Comal" wherever they appear.

FOX,  
KNETSCH.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and to the body of the bill.

House Bill No. 990 was then passed to engrossment.

#### HOUSE BILL NO. 990 ON THIRD READING

Mr. Stevenson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 990 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Mr. Speaker	England
Aikin	Fain
Alexander	Fisher
Alsup	Frazer
Ash	Fuchs
Atchison	Gibson
Beck	Good
Bergman	Greathouse
Bradbury	Hankamer
Bradford	Hanna
Broyles	Harris of Archer
Burton	Harris of Dallas
Butler of Karnes	Head
Cagle	Hodges
Canon	Hofheinz
Celaya	Holland
Clayton	Hoskins
Collins	Howard
Colson	Hunt
Craddock	Hunter
Daniel	Hyder
Davison of Fisher	Jackson
Davisson	James
of Eastland	Jefferson
Dickison	Jones of Atascosa
Dunlap of Hays	Jones of Falls

Jones of Shelby  
Jones of Wise  
Keefe  
King  
Knetsch  
Latham  
Lemens  
Leonard  
Lotief  
Lucas  
Mauritz  
McCalla  
McConnell  
McKee  
Moore  
Morris  
Morrison  
Morse  
Newton  
Nicholson  
Olsen  
Padgett  
Palmer  
Patterson  
Petsch  
Pope

Reed of Bowie  
Reed of Dallas  
Roach of Angelina  
Roach of Hunt  
Roberts  
Russell  
Rutta  
Shofner  
Smith  
Spears  
Stanfield  
Steward  
Stinson  
Tarwater  
Thornton  
Tillery  
Venable  
Waggoner  
Walker  
Wells  
Westfall  
Wood of Harrison  
Wood of Montague  
Worley  
Youngblood

Nays—5

Colquitt  
Glass  
Hardin

Huddleston  
Moffett

Absent

Adamson  
Adkins  
Bourne  
Butler of Brazos  
Caldwell  
Calvert  
Cooper  
Cowley  
Crossley  
Dunagan  
Dunlap of Kleberg  
Dwyer  
Fitzwater  
Ford  
Fox  
Graves  
Gray  
Hartzog  
Herzik

Hill  
Jones of Runnels  
Lange  
Lanning  
Leath  
Lindsey  
Luker  
Payne  
Quinn  
Reader  
Riddle  
Roane  
Roark  
Rogers  
Scarborough  
Settle  
Stovall  
Tennyson  
Young

Absent—Excused

Davis  
Duvall  
Farmer

McFarland  
McKinney

The Chair then laid House Bill No. 990 before the House on its third reading and final passage.

The bill was read third time, and was passed.

#### LEAVES OF ABSENCE GRANTED (By Unanimous Consent)

Mr. McFarland was granted leave of absence for the night session, on

account of illness, on motion of Mr. Walker.

### ADJOURNMENT

Mr. Morrison moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Alexander moved that the House recess to 10:00 o'clock a. m., tomorrow.

Mr. Spears moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Spears, it prevailed, and the House, accordingly, at 10:30 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: Senate Bills Nos. 179, 234, 293, 369, and 510.

Conservation and Reclamation: Senate Bills Nos. 285 and 354.

Constitutional Amendments: Senate Joint Resolutions Nos. 19 and 23; House Joint Resolution No. 47.

Criminal Jurisprudence: Senate Bill No. 404.

Judicial Districts: Senate Bill No. 520.

Judiciary: Senate Bills Nos. 12, 255, and 508.

Labor: House Bill No. 989.

Liquor Traffic: Senate Bill No. 328.

Public Health: Senate Bill No. 89.

State Affairs: Senate Concurrent Resolutions Nos. 44 and 45.

The Committee on Constitutional Amendments filed adverse reports on House Joint Resolutions Nos. 51 and 52.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, April 29, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 155, A bill to be entitled "An Act to amend Sections 1, 2, and

4, of Chapter 45, Acts of the Forty-third Legislature, Regular Session, relating to the wages paid on public work, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, April 29, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 156, A bill to be entitled "An Act prohibiting the refund of wages under personal service contract; defining the word 'person'; making exception of labor officials acting as agent of duly constituted labor organizations; providing a penalty, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 6, Proposing an amendment to Article III of the Constitution of the State of Texas, to be known as Section 51-b; authorizing the Legislature to provide for the payment of old age pensions and to classify persons for these pensions, etc.,

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 585, A bill to be entitled "An Act to amend Subdivision 13 of Article 6675-a, Title 116, of the Revised Civil Statutes of the State of Texas, 1925, Acts 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, as amended by Acts of 1933, Forty-third Legislature, page 547, Chapter 178, Section 1, relating to the issuing and manufacturing of license number plates so as to provide for the issuing of license number stickers, for attaching same,

to authorize and require the State Highway Commission to design, have printed and/or manufacture such stickers; providing further that no stickers shall be issued until forty-five (45) days from the effective date of this Act; providing for the distribution of same by county tax collectors, so that stickers so distributed shall bear the same number as license number plates theretofore issued, etc.,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, April 29, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 365, A bill to be entitled "An Act defining the meaning of certain words, terms, and phrases used in the Act creating the Board of Public Utility Commissioners of Texas; prescribing its official seal; providing for the appointment, qualification, tenure, and removal from office of said commissioners; providing for the regulation, government, and supervision of public utilities and their functionings, and prescribing, defining and limiting the jurisdiction, powers, and duties of said board, its members, agents, and employes in connection therewith; levying a tax on public utilities and providing for its assessment and collection, etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 486, A bill to be entitled "An Act providing that a deplorable condition existing in that area of the State, including in the Counties of Loving, Reeves, Ward, and Pecos, has produced a condition which is declared to be a public calamity, and making a grant of funds to Red Bluff Water Power Control District, to provide funds to construct a large storage reservoir on the Pecos River for

irrigation of the lands within such district and the construction of a hydroelectric plant, and providing for the conditions for the payment in handling such funds, the time of payment thereof, and providing all of the net amounts of the annual current State ad valorem taxes that may be collected from the property and from persons in said Counties of Loving, Reeves, Ward, and Pecos which would otherwise go into the General Revenue Fund of the State of Texas (including the rolling stock belonging to railroad companies which shall be ascertained and apportioned as now provided by law), and providing that the amount so granted shall not exceed in any one year the total sum of sixty thousand dollars (\$60,000); etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 973, "An Act amending Article 198, Title 3, Revised Civil Statutes of Texas, of 1925, as heretofore amended, by taking Cherokee County from the Sixth Supreme Judicial District and placing said county within the Ninth Supreme Judicial District; regulating the filing in the Courts of Civil Appeals in the Fifth and Sixth Supreme Judicial Districts of cases appealed from the trial courts of Hunt County, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 908, "An Act to prohibit the use of a steel trap for taking fur-bearing animals in Cherokee County, with certain exceptions; providing a penalty; repealing all laws in



conflict therewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 614, "An Act to provide for the renewal and extension of Oil and Gas Permit No. 11,752 on a portion of the Pecos River bed, providing for the placing of all income therefrom, and for all income from oil and gas development from river beds in Texas, in the Permanent School Fund, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 600, "An Act prohibiting the setting of any steel trap, snare or deadfall in Bowie and Smith Counties for the purpose of taking any fur-bearing animals for a period of two (2) years; repealing all laws, in so far as they conflict with this Act; providing a penalty for violation of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 776, "An Act to make it unlawful to take, hunt, trap, shoot or kill any deer and/or wild turkey for a period of three (3) years in Taylor, Jones, Shackelford, and Panoia Counties, Texas; fixing penalties, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 778, "An Act prohibiting the use of a steel trap, snare or deadfall; the taking of the pelt of a fur-bearing animal; the offering for sale the pelt of a fur-bearing animal, or the possession of a fur-bearing animal, dead or alive, in Shelby County for a period of two (2) years following the passage of this Act; providing a penalty; repealing all laws in conflict with this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 158, "An Act to provide free tuition for all pupils over six (6) years of age and not over twenty-one (21) years of age in certain school districts, and to provide for attendance of rural pupils or of other pupils in high schools at the expense of their home districts and of the State; for transfer of pupils to high schools and payment of tuition of such pupils; authorizing boards of trustees to fix tuition and prescribing maximum tuition to be paid receiving high schools by the State; providing any obligation of the State referred to herein shall be paid from the Rural Aid Fund; providing this Act shall not apply to counties having a county equalization fund used in whole or in part for rural high school tuition fees; for certification of eligibility of pupils for tuition privileges in the high schools and for filing of budgets of sending districts with State Department of Education; providing for report to State Department of Education and issuance of warrants for tuition, and for payment of tuition by sending districts and the State; for withholding funds of districts refusing or failing to comply with forms required by State Department of Education or refusing or failing to pay transfer obli-

gations as due; repealing all laws and parts of laws in conflict herewith; declaring the rule in event any part of this Act is unconstitutional or invalid, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 771, "An Act providing for the taking of fish from the fresh waters of Grayson County, Texas, for a period of five (5) years from the effective date hereof, and making it unlawful to take any such fish except by ordinary hook and line or by seine or net, the mesh of which is less than one and one-half inches square; providing that seines and nets may be used only during August, only for propagation purposes under supervision of game warden; providing for seining for bait; making it unlawful to take or possess fish for purpose of sale; fixing penalties; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

"H. B. No. 319, "An Act granting to Willis Fountain of New Boston, Bowie County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the district court of Bowie County, Texas, for damages sustained to his property by the construction of dams on each side of Highway No. 8, which runs between the towns of New Boston and Corley in Bowie County, diverting the water on the farm of Willis Fountain; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and for procedure governing

the trial and determination of such suit, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 80, "An Act amending Article 6078, Revised Civil Statutes of Texas, 1925, dealing with public parks by adding a new section, to be known as Article 6078-a, providing for abandonment of county parks when site is found undesirable; providing for the holding of hearings by commissioners courts; providing for publication of notice of hearings; providing for entering of order on the minutes of said court; providing for the termination of previous dedications; providing for the holding of title by owner; providing for the payment of taxes by owner, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 502, "An Act amending Section 3, of Senate Bill No. 247, Chapter No. 158, page No. 400, Acts of the Regular Session of the Forty-third Legislature, 1933, empowering the Rehabilitation Division of the State Department of Education to take census, make surveys, and establish permanent records of crippled children; and to co-operate with the Department of Education in providing equipment for and instruction of same and providing for medical and surgical services by physicians approved by the State Board of Health and the minimum fees to be paid for such services; authorizing such division to organize and supervise diagnostic clinics and to approve and select physicians; providing for a schedule of prices to be paid for the surgical operations necessary hereunder; fixing qualifications there-

of; authorizing such divisions to select and designate hospitals approved by the Board of Control for the care of crippled children and do such other things necessary to accomplish purposes of this Act; providing the Department of Education may provide transportation, appliances, braces, and other material necessary in proper handling of crippled children; directing such division to provide rules and regulations to be approved by the Department of Education for charges for hospital, medical, surgical, nursing and all other services contemplated in carrying out purposes of this Act; and limiting such charges, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 874, "An Act to create a more efficient road law for Lee County, providing for the payment of a tax of two dollars and fifty cents (\$2.50) by all persons in said county, subject to road duty under the General Laws, or the performance of certain manual labor on the roads, in the discharge of said road duty; providing the manner of assessing and collecting said road tax, and providing a penalty for failure or refusal to perform said road duty, repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 584, "An Act giving to Mrs. Lillian Hargraves, for herself and as next friend of Orin Hargraves, Edith Hargraves, and Ed Harold Hargraves, minors, of Beaumont, Jefferson County, Texas, consent of the Legislature to file and prosecute suit against the State of Texas and/or the

State Highway Commission in a court of competent jurisdiction in order to determine what compensation, if any, she and the surviving children of the said Lillian Hargraves and O. K. Hargraves are to receive by reason of the death of the said O. K. Hargraves received while an employe of the State Highway Commission; and providing the State and/or said Commission may appeal from said judgment as provided by law without executing any bond and upon the final judgment being recovered against the State and/or State Highway Commission, the same shall be paid out of the State Highway Funds; and providing that service in said cause shall be had by citing the Chairman of the Highway Commission and Attorney General, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 438, "An Act prescribing the fees required of and paid by candidates in primary elections for State Senators and State Representatives in certain counties; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, May 1, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 566, "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas, which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, or which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission or other governing body of such incorporated city or town has acted as a

board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; making this Act applicable only to cities having a population of not less than eleven hundred (1100) and not more than twelve hundred and fifty (1250) inhabitants, according to the last preceding United States Census, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 668, "An Act governing the use of pasture or grazing land owned by two (2) or more parties under one fence or enclosure; providing for the recovering of damages; defining the words 'reasonably pasture'; providing punishment and penalties, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 340, "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas, which levies are unenforceable because of failure of the governing bodies of such respective incorporated cities and towns to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory board of equalization, or where the city council, city commission or other governing body of such incorporated city or town have acted as a board of equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; making this Act applicable only to incorporated cities and towns having a population of less than

twelve hundred (1,200) inhabitants, and situated in counties having a population of thirty-four thousand one hundred and fifty-six (34,156) to thirty-four thousand three hundred (34,300), according to the last preceding United States Census, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 510, "An Act to amend Article 1656-a, Title 34, Subdivision 2, Revised Civil Statutes of Texas, of 1925, being House Bill No. 875, Chapter 98, page 217, General and Special Laws enacted by the Forty-third Legislature at its Regular Session, 1933; providing that the county auditor in certain counties shall prescribe the system, forms, and reports to be used in connection with the receipt and disbursement of county revenues, funds, fees, and moneys received and disbursed by county and precinct officers so as to include the district clerk and district attorney; providing for the repeal of all laws in conflict herewith; providing that if any part of this Act shall be declared unconstitutional, it shall not affect the validity of the remainder, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,

Austin, Texas, April 30, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 265, "An Act amending Article 1583 of the Penal Code of Texas, 1925, relating to work and vacation of firemen and policemen in cities of more than twenty-five thousand (25,000) inhabitants and in cities of more than thirty thousand (30,000) inhabitants; providing penalties for violation of the provisions of this article, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,  
Austin, Texas, April 30, 1935.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 593, "An Act authorizing  
the county judge to employ a ste-  
nographer or clerk in any county of  
not less than forty-three thousand  
(43,000) and not more than forty-  
three thousand, one hundred (43,100)  
inhabitants, according to the last  
Federal Census Report; regulating  
the salary of said stenographer or  
clerk; for the payment of same; pro-  
viding for his removal, and declaring  
an emergency,"

Has carefully compared same, and  
finds it correctly enrolled.

ATCHISON, Chairman.

# SIXTY-FIRST DAY

(Thursday, May 2, 1935)

The House met at 10 o'clock a. m.,  
pursuant to adjournment, and was  
called to order by Speaker Stevenson.

The roll was called, and the follow-  
ing members were present:

Mr. Speaker	Davisson
Adamson	of Eastland
Adkins	Dickison
Aikin	Dunagan
Alexander	Dunlap of Hays
Alsop	Dunlap of Kleberg
Ash	Dwyer
Atchison	England
Beck	Fain
Bergman	Fisher
Bourne	Ford
Bradbury	Fox
Bradford	Frazer
Broyles	Fuchs
Burton	Gibson
Butler of Brazos	Glass
Butler of Karnes	Good
Cagle	Gray
Caldwell	Greathouse
Calvert	Hankamer
Canon	Hanna
Celaya	Hardin
Clayton	Harris of Archer
Collins	Harris of Dallas
Colson	Hartzog
Cooper	Head
Cowley	Herzik
Craddock	Hill
Crossley	Hodges
Daniel	Hofheinz
Davis	Holland
Davison of Fisher	Hoskins

Howard	Palmer
Huddleston	Patterson
Hunt	Payne
Hunter	Petsch
Hyder	Pope
Jackson	Quinn
James	Reader
Jefferson	Reed of Bowie
Jones of Atascosa	Reed of Dallas
Jones of Falls	Riddle
Jones of Runnels	Roach of Angelina
Jones of Shelby	Roach of Hunt
Jones of Wise	Roane
Keefe	Roark
King	Roberts
Knetsch	Rogers
Lange	Russell
Lanning	Rutta
Latham	Scarborough
Leath	Settle
Lemens	Shofner
Leonard	Smith
Lindsey	Spears
Lotief	Stanfield
Lucas	Steward
Luker	Stinson
Mauritz	Stovall
McCalla	Tarwater
McConnell	Tennyson
McFarland	Thornton
McKee	Tillery
McKinney	Venable
Moffett	Waggoner
Moore	Walker
Morris	Wells
Morrison	Westfall
Morse	Wood of Harrison
Newton	Wood of Montague
Nicholson	Worley
Olsen	Young
Padgett	Youngblood

## Absent—Excused

Colquitt	Fitzwater
Duvall	Graves
Farmer	

A quorum was announced present.

Rev. Geo. W. Coltrin, Chaplain,  
offered the following invocation:

"Almighty God, in these times of  
transition and readjustment, we pray  
for our nation, our President, the  
Congress, our Governor and our-  
selves, and for all in places of au-  
thority, that we may be led in wis-  
dom's ways and to permanent stabil-  
ity. In Christ's name. Amen."

## LEAVES OF ABSENCE GRANTED

The following members were  
granted leaves of absence on account  
of important business:

Mr. Duvall for today, on motion of  
Mr. Stinson.